



Newnan City Council Meeting

MAY 12, 2020

Newnan City Hall

Richard A. Bolin Council Chambers

25 LaGrange Street

2:30 PM

CALL TO ORDER

INVOCATION

READING OF MINUTES

- [A.](#) Minutes from Regular Meeting on April 14, 2020

REPORTS OF BOARDS AND COMMISSIONS

- B. 2 Appointments- Newnan Youth Activities Commission, 3 year term
- C. 3 Appointments- Urban Redevelopment Agency, 3 year term

REPORTS ON OPERATIONS BY CITY MANAGER

REPORTS AND COMMUNICATIONS FROM MAYOR

NEW BUSINESS

- [D.](#) Request by Piedmont Residential for Summerlin Subdivision Phase II, to accept a new road, Ulsh Park Drive, into the City's public street system
- [E.](#) Consideration of adopting an Amendment to Sections 9, 10, and 11 of the Subdivision Regulations
- [F.](#) Ordinance to Amend 2019 Budget
- [G.](#) Consideration of a Contract Award for Milling and Resurfacing of various streets to CW Matthews Contracting Co. Inc,
- [H.](#) Consideration of a Contract Award for Reclamation & Paving two local streets to CW Matthews Contracting Co. Inc,
- [I.](#) Annexation Request - ANNEX2020-01; Linchwood Coweta, LLC for 65.77 acres located on Parks Road (Tax Parcel # 123 1050 005) - Requested Zoning of RU-7 for 118 SF homes - refer to Planning Commission
- [J.](#) Consider authorizing the release of a Request for Qualifications (RFQ) for the development of construction documents for the Jackson Street and Sprayberry Road Sidewalk project.

UNFINISHED BUSINESS

- [K.](#) Consideration of a Broker for Consulting and Insurance Services
- [L.](#) Consideration of an Intergovernmental Agreement between the City of Newnan and the Newnan Urban Redevelopment Agency regarding the rehabilitation and sale of a house located at 100 East Washington Street

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

- [M.](#) Request by Summergrove POA to post signs/banners at the entrances of the neighborhood on Lower Fayetteville Rd, Shenandoah Blvd, East Lake and Mary Freeman Rd for the purpose of Graduation (May) and yard sales (June and Sept)

MOTION TO ENTER INTO EXECUTIVE SESSION

[N.](#) Motion to Enter into Executive Session

ADJOURNMENT

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

APRIL 14, 2020

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, April 14, 2020 at 2:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Ray DuBose; Paul Guillaume and Dustin Koritko. Council members present by Zoom: George Alexander; Cynthia E. Jenkins and Rhodes Shell. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Police Chief, Douglas (Buster) Meadows.

MINUTES – WORK SESSION – MARCH 10, 2020

Motion by Councilman Guillaume, seconded by Councilman DuBose to dispense with the reading of the minutes of the Work Session for March 10, 2020 and adopt them as presented.

MOTION CARRIED. (7 – 0)

MINUTES – REGULAR COUNCIL MEETING – MARCH 10, 2020

Motion by Councilman Guillaume, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council meeting on March 10, 2020 and adopt them as presented.

MOTION CARRIED. (7 – 0)

MINUTES – SPECIAL CALLED MEETING – MARCH 18, 2020

Motion by Councilman Koritko, seconded by Councilman DuBose to dispense with the reading of the minutes of the Special Called meeting on March 18, 2020 and adopt them as presented.

MOTION CARRIED. (7 – 0)

MINUTES- SPECIAL CALLED MEETING – MARCH 25, 2020

Motion by Councilman DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Special Called meeting on March 25, 2020 and adopt them as presented.

MOTION CARRIED. (7 – 0)

MINUTES – SPECIAL CALLED MEETING – APRIL 2, 2020

Motion by Councilman Guillaume, seconded by Councilwoman Jenkins to dispense with the reading of the minutes of the Special Called meeting on April 2, 2020 and adopt them as presented.

MOTION CARRIED. (7 – 0)

APPOINTMENT – CULTURAL ARTS COMMISSION (REPLACEMENT JOANNA HARVEY)

Motion by Councilman Koritko, seconded by Councilman Guillaume to appoint Brenda Jessel to the Cultural Arts Commission for a three year term.

MOTION CARRIED. (7 – 0)

APPOINTMENTS – NEWNAN YOUTH ACTIVITIES COMMISSION

Motion by Councilman Koritko, seconded by Councilman Alexander to re-appoint Katie Frost to the Newnan Youth Activities Commission for another three year term.

MOTION CARRIED. (7 – 0)

Motion by Councilman Shell, seconded by Councilwoman Jenkins to re-appoint Payton Shelnut to the Newnan Youth Activities Commission for another three year term.

MOTION CARRIED. (7 – 0)

Motion by Councilman Shell, seconded by Councilwoman Jenkins to re-appoint Kirk Stallings to the Newnan Youth Activities Commission for another three year term.

MOTION CARRIED. (7 – 0)

Mayor Brady asked the City Manager to place Councilman Alexander and Councilman Koritko's appointments to the Newnan Youth Activities Commission on the agenda for the next meeting.

APPOINTMENTS – URBAN REDEVELOPMENT AGENCY

Mayor Brady asked the City Manager to place his appointment, Councilman DuBose and Councilman Guillaume appointments to the Urban Redevelopment Agency on the agenda for the next meeting.

**ORDINANCE – FIRST RESTATEMENT AND AMENDMENT – ORDINANCE FOR THE
TAKING OF ADDITIONAL EMERGENCY MEASURES AND RENEWED DECLARATION
OF LOCAL STATE OF EMERGENCY RELATED TO COVID-19; AND FOR OTHER
PURPOSES**

Motion by Councilman Guillaume, seconded by Councilman DuBose to adopt First Restatement and Amendment of an Ordinance for the taking of additional emergency measures and renewed declaration of Local State of Emergency related to COVID-19; and for other purposes.

MOTION CARRIED. (7 – 0)

The City Manager indicated this is a follow up of Governor Kemp's orders that does not address the shelter in place. This is for restatement of local measures we have in place for the filing of Occupational Tax Returns, billings for Downtown Commercial Sanitation Program Fees, Closure of City Parks, exception of the use of sidewalk and path systems provided the users comply, Municipal Court proceedings suspended until termination of Ordinance, Public Hearings/Meetings canceled with the exception of the Board of Zoning Appeals meeting scheduled for April 21, 2020, new applications for annexation, rezoning, text amendments, variance, or special exception that such applications will not be accepted for processing until the termination of this Ordinance, Existing regulatory permits/Alcohol Licensing that require public hearing prior to renewal or extension shall be extended until such time as public hearings are resumed.

**RESOLUTION – AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT,
IF AWARDED, A GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT)
ROADSIDE ENHANCEMENT & BEAUTIFICATION COUNCIL (REBC) GRANT**

Motion by Councilman Koritko, seconded by Councilman Guillaume to adopt a Resolution authorizing the City Manager to apply for and accept, if awarded, a Georgia Department of Transportation (GDOT) Roadside Enhancement & Beautification Council (REBC) Grant.

MOTION CARRIED. (7 – 0)

**PUBLIC HEARING – APPLICATION FOR ALCOHOL BEVERAGE LICENSE FOR
TRANSFER OF OWNER FOR RETAIL ON PREMISE (POURING) SALES, DISTILLED
SPIRITS, MALT BEVERAGES AND WINE FOR TEXAS ROADHOUSE HOLDINGS LLC
D/B/A TEXAS ROADHOUSE LOCATED AT 1127 HWY 34-E – REASON: NEW
OWNER**

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License to transfer owner for Texas Roadhouse Holdings, LLC d/b/a Texas Roadhouse located at 1127 Hwy 34-E.

A letter signed by Dana Resnick representing the Firm of Sard & Leff will represent Texas Roadhouse electronically. No one spoke for or against the application. Mayor Brady

closed the public hearing. All the documentation has been received and everything is in order.

Motion by Councilman Koritko, seconded by Councilman Shell to approve the application for a Retail on Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License to transfer owner for Texas Roadhouse Holding LLC d/b/a Texas Roadhouse located at 1127 Hwy 34-E.

MOTION CARRIED. (7 – 0)

RESOLUTION – COMMITTING FUNDS TO THE CITY’S FY2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION AND AUTHORIZING MAYOR TO EXECUTE ALL REQUIRED DOCUMENTS ON BEHALF OF THE CITY

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to adopt a Resolution committing matching funds to the City’s Fy2020 Community Development Block Grant (CDBG) application and authorizing the Mayor to execute all required documents on behalf of the City.

MOTION CARRIED. (7 – 0)

HOUSING STATUS REPORTS – 280 WEST WASHINGTON ST., 18 BERRY AVENUE, 21 BERRY AVENUE AND 69 MLK JR DR

These properties have been before Council with public hearings.

<u>Property</u>	<u>Owner</u>	<u>Status</u>	<u>Resolution Deadline</u>
280 W Washington St	Irvin Jones Estate	Progress made	03/23/2020
18 Berry Avenue	Dan Moten	Pending Sale	05/26/2020
21 Berry Avenue	Teresa Calderon		
69 MLK Jr. Dr	Evelyn R Glenn		

No action taken.

REQUEST EXTENSION – 280 W. WASHINGTON STREET

The Assistant City Manager indicated the owner of 280 West Washington Street is requesting an extension. Progress has been made on the structure.

Motion by Councilman Koritko, seconded by Councilman Guillaume to approve the request for an extension for substandard structure located at 280 West Washington Street for one hundred eighty (180) days to complete the repairs.

MOTION CARRIED. (7 – 0)

REQUEST EXTENSION – 33 HARDAWAY STREET

The Assistant City Manager informed Council the family has issues with the estate and are requesting an extension due to the current crisis.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to approve the request for an extension for the substandard structure located at 33 Hardaway Street for one hundred eighty (180) days.

MOTION CARRIED. (7 – 0)

Mayor Brady suggested extending housing resolution through September.

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to temporarily suspend all housing resolutions to repair or demolish any properties currently under consideration through September 2020.

MOTION CARRIED. (7 – 0)

ADJOURNMENT

Motion by Councilman Koritko, seconded by Councilman DuBose to adjourn the Council meeting at 2:48 pm.

MOTION CARRIED. (7 – 0)

Della Hill, City Clerk

Keith Brady, Mayor



City of Newnan, Georgia - Mayor and Council

Date: May 12, 2020

Agenda Item: Street Acceptance – New road subdivision Ulsh Park Drive in the Summerlin subdivision.

Prepared By: Dean Smith, Planning and Zoning Department

Purpose: A request by Piedmont Residential to accept a new road, Ulsh Park Drive, into the City's public street system.

Background: Summerlin is a subdivision located off of Lower Fayetteville Road. The applicant is requesting that the City accept the following built street and right-of-way:

Ulsh Park Drive: 1,334 linear feet and 1.47 acres with 2,754 linear feet and 0.31 acres of sidewalk

The final plat has been reviewed and accepted by the City. Inspections have been conducted and the infrastructure has been deemed to be in accordance with City standards.

Funding: N/A

Recommendation: Accept the proposed roads into the City's street system.

Previous Discussion with Council:

Images: G. Micro Maps (1-1310).jpg
G. Micro Maps (1-1311).jpg

REFS:

CLERK OF THE SUPERIOR COURT
RECORDING INFORMATION

ABBREVIATIONS LEGEND

ABBR.	DEFINITION
D.E.	DRAINAGE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
A.E.	ACCESS EASEMENT
W.L.E.	WATER LINE EASEMENT
F.M.E.	FORCE MAIN EASEMENT

STRUCTURES LEGEND

	HEADWALL
	FLARED END SECTION (D.O.T.)
	SINGLE-WING CATCH BASIN
	DOUBLE-WING CATCH BASIN
	WEIR INLET
	JUNCTION BOX
	GRATE INLET
	FIRE HYDRANT
	WATER VALVE
	W.M. - WATER METER
	WATER LINE
	SANITARY SEWER MANHOLE
	SANITARY SEWER LINE
	S.C.O. SEWER CLEAN OUT
	LIGHT POLE

NOTE: ALL STORM DRAINS ARE BITUMINUS
COATED OR TYPE II ALUMINIZED CORRUGATED
METAL PIPE (CMP) UNLESS OTHERWISE NOTED.

PROPERTY CORNER LEGEND

	RBS- REINFORCING BAR SET
	RBF- REINFORCING BAR FOUND
	CTF- CRIMP TOP PIPE FOUND
	OTF- OPEN TOP PIPE FOUND
	RWM- RIGHT-OF-WAY MONUMENT

NOTE:
#4 REBAR SET ON ALL PROPERTY
CORNERS UNLESS OTHERWISE NOTED.

● MFE SHALL BE 1.0' ABOVE ADJACENT 100-YR ELEVATION

NOTE:
THE CITY OF NEWMAN HAS NO RESPONSIBILITY TO IMPROVE OR MAINTAIN THE
PRIVATE ALLEY CONTAINED WITHIN OR PRIVATE ALLEY PROVIDING ACCESS TO THE
PROPERTY DESCRIBE IN THIS PLAT.

AS REQUIRED BY SUBSECTION (d) OF O.G.C.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY
A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS
EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH
APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES
BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE,
THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM
TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND
REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND
SURVEYORS AND AS SET FORTH IN O.G.C.A. SECTION 15-6-67.

OWNER AND DEVELOPER:
PR SUMMERLIN, LLC
285 PARKWAY 575
WOODSTOCK, GA 30188
678-366-6470
24 HOUR CONTACT:
MICHAEL MILLER
678-366-6470



REVISIONS

Gaskins
ENGINEERING-SURVEYING-APPRAISAL-CONSULTING-CONSTRUCTION MGMT
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FIELD DATE: 12-04-19 DRAWN BY: MAH
OFFICE DATE: 12-09-19 CHECKED BY: CAE
SCALE: 1"=50' FILE: O,P(147)/SUMMERLIN...

FINAL PLAT FOR:

SUMMERLIN PHASE II
SUBDIVISION
TAX PARCEL I.D. 098B 001

LOCATED IN L.L. 20
5th DISTRICT, CITY OF NEWMAN,
COWETA COUNTY, GA. SHEET 2 OF 2



City of Newnan, Georgia - Mayor and Council

Date: May 12, 2020

Agenda Item: Subdivision Regulation Ordinance Text Amendment

Prepared By: Dean Smith, Planning and Zoning Department

Purpose: To consider adopting an amendment to Sections 9, 10, and 11 of the Subdivision Regulations.

Background: Staff has initiated proposed changes to the Subdivision Regulations primarily focusing on two areas. 1. Establishing rules and regulations governing the naming of streets and subdivisions that mirror the Coweta County regulations and 2. Eliminating the requirement of Planning Commission reviewing preliminary plats.

In 2017, Coweta County adopted rules for the naming of streets and residential developments to assist in avoiding confusion and duplication and to assist E-911 with expedient dispatch in times of need. The City has been working with the County since that time to coordinate on street naming. The evolution in this process is for the City to adopt its own regulations. The proposed regulations are very similar to those adopted by Coweta County and if approved, will help to ensure consistency within Coweta County as a whole with street naming and subdivision naming to avoid confusion with similar sounding road and subdivision names which could hamper E-911 calls and dispatches.

In years past, the City did not have the authority to conduct its own engineering review and approve plans. The City has that authority, and for several years now, the City has maintained a professional engineering staff who, along with the Planning & Zoning Department and Newnan Utilities, review all preliminary plats to ensure compliance with all applicable local and state regulations and best practices. The past practice of having preliminary plats reviewed and approved by a Planning Commission has fulfilled its purpose. That purpose can now be administered in-house by City personnel and move development forward with greater efficiency.

The proposed ordinance was presented to the Planning Commission on March 10, 2020. The results of the March, 2020 Planning Commission Public Hearing is before you at this time. At the conclusion of the Public Hearing held on March 20, 2020, the Planning Commission adopted a motion to approve the proposed Subdivision Regulation changes and forward same to City Council with a favorable recommendation to consider adopting the revised language.

Attached to this agenda item is the proposed subdivision regulation changes marked up version. Text being proposed to be removed are marked with ~~red strikethrough~~. New language is in **yellow highlight**.

Funding: N/A

Recommendation: Approve the revision to Subdivision Regulations.

Previous Discussion with Council:

Subdivision Regulations

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Subdivision Regulations of the City of Newnan, Georgia

§ 1.	Purpose and Intent
§ 2.	Definitions Referenced
§ 3.	Jurisdiction and Applicability
§ 4.	Land Subdivision, Scope of Term
§ 5.	Compliance with Regulations Prerequisite to Approval of Subdivision
§ 6.	Transfer, Sale of Land in Unapproved Subdivision
§ 7.	Construction Prohibited
§ 8.	Effect of Conflict of Provisions
§ 9.	Variances
§ 10.	Plats
§ 11.	Minimum Requirements and Design Standards
§ 12.	Driveway Access
§ 13.	Standard Development Details

Section 1. Purpose and Intent.

In the interpretation and application of these regulations, the purpose of the provisions, hereof, shall be held to be the minimum requirements adopted for the public health, safety, and welfare. To protect the people, among other purposes, such provisions are intended to provide for permanently wholesome community environment, adequate public services and safe streets for accomplishing, among other things, the following objectives:

1. To provide optimum living conditions within new subdivisions.
2. For the dedication or reservation of right-of-ways, easements, or sites for streets, utilities, open space, recreation areas, and other public facilities.
3. For the protection of historic resources and the natural environment.
4. For the orderly, efficient, and economic development of urbanizable land.
5. To provide simplification and definiteness of land descriptions.
6. For the establishment and coordination of streets, highways and other public facilities within proposed subdivisions with existing or planned streets and highways or other public facilities.
7. For the stabilization of property values in the subdivision and adjacent areas.
8. To provide standards and regulations which will inform the public and aid in uniform code enforcement.
9. To regulate the subdividing and partitioning of land in the City of Newnan in accordance with applicable state statutes.
10. For the distribution of population and traffic which shall avoid congestion and overcrowding and which shall create conditions essential to public health, safety and the general welfare.

Section 2. Definitions

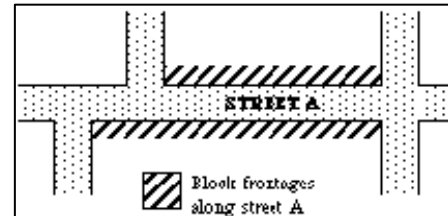
"A" Definitions

1. **ABANDONMENT** - To cease or discontinue a use or activity without intent to resume, but excluding temporary or short term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.
2. **ABUTTING** - Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.
3. **ACCESS** – A way or means of approach to provide vehicular or pedestrian physical entrance to a property.
4. **ADJOINING LAND, LOT, OR PARCEL** – A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.
6. **ALLEY** - A public or private way permanently reserved as a secondary means of access to abutting property and not intended for general traffic circulation.
7. **ALTERATION** - Any change, addition, or modification in construction or occupancy of an existing structure.
8. **AMERICANS WITH DISABILITIES ACT (ADA)**—Signed into law on July 26, 1990, ADA prohibits discrimination on the basis of disability in employment, programs and services provided by state and local governments, goods and services provided by private companies, and in commercial facilities. It contains requirements for new construction, for alterations or renovations to buildings and facilities, and for improving access to existing facilities of private companies providing goods or services to the public. It also requires that State and local governments provide access to programs offered to the public. The ADA also covers effective communication with people with disabilities; an eligibility criterion that may restrict or prevent access, and requires reasonable modifications of policies and practices that may be discriminatory.
9. **APPEAL** – A petition by any person or persons aggrieved to revisit any decision made by a governing or deciding body.
10. **APPLICANT** – Any person making a request to the City for any approval, permit, or authorization under the procedures contained in this Ordinance.
11. **APPLICATION** – The application form and all accompanying documents and exhibits required of an applicant by an approving authority for development review purposes.
12. **APPROVE WITH CONDITIONS** – To approve an application, site plan, subdivision plat, or other development project submittal or request with specific lawful conditions attached to such approval.

"B" Definitions

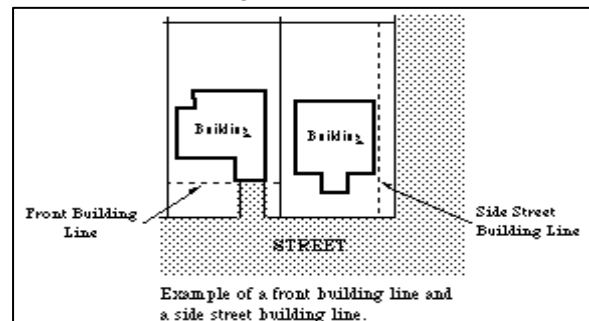
1. **BLOCK** – A piece, parcel, or tract of land entirely surrounded by public streets, other than alleys, and other major physical barriers such as public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or corporate boundaries.

Figure B.1
Block Frontage



2. **BOND** – A bond shall be legal tender of the United States of America, a cashier's check, bank official check, bank or postal money order, escrow account, or bond instrument issued by a surety company in the State of Georgia and acceptable to the City and generally required to assure the completion or reconstruction of the improvements covered by such instrument. Said financial security shall be in the amount of at least 125% of the estimated cost of completing or reconstructing those improvements (as determined by the City Engineer).
2. **BOUNDARY** – A line or other thing marking a limit; bound; border.
3. **BUILDING CODE** – The currently adopted Building Code, with Georgia amendments.
4. **BUILDING LINE** – A line established at the minimum allowable distance between the nearest portion of any building (excluding the outermost three (3) feet of any uncovered porches, steps, gutters, and similar fixtures) and the centerline of the street or the right-of-way line, as required by this Ordinance. See **Figure B.3 for illustration.**

Figure B.3
Building Lines



5. **BUILDING OFFICIAL** - The Building and Zoning Official of the city or his or her designee.
6. **BUILDING PERMIT** – A written permit issued by the Building Official authorizing construction, renovation or repairs to a structure.

"C" Definitions

1. **CENTERLINE OF STREET OR ROAD** – The line surveyed and monumented by the governing body as such or, if a centerline has not been surveyed and monumented, it shall be the line running midway between the outside curbs or ditches of the street.
2. **CERTIFICATE OF OCCUPANCY** – A Certificate of Occupancy or CO is a permit establishing the right to safe occupancy in compliance with all of the requirements for such occupancy of a building, structure, or site within the City of Newnan.
3. **CIRCULATION** – The movement of vehicles, pedestrians, etc. to go from place to place along a street, alley, parking lot, sidewalk, or other facility dedicated for such purpose.
4. **CITY** – Means either: (1) provided as follows "City" rather than "city" refers to the municipal government of the City of Newnan, Georgia including representatives of the appropriate department for the aspect of development being discussed or considered; or (2) provided as follows "city" rather than "City" refers to all land lying within the corporate limits of the City of Newnan, Georgia as now or hereafter situated.

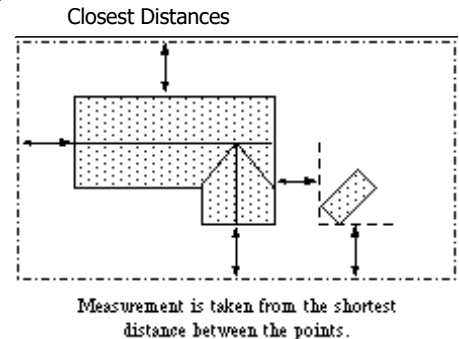
5. COMMON AREA – Land amenities; certain areas of buildings such as lobbies, corridors, and hallways; central services and utilities; open space; landscaped areas; detention ponds; and any other elements or facilities owned and used by all members of a development such as a condominium or subdivision and designated in the master deed as common area.
6. CONTIGUOUS – Abutting directly on the boundary of, separated by a street other than a controlled access highway from, or separated by a street, railroad, or public utility right-of-way.
7. CONTOUR INTERVAL – The difference in value between adjacent contour lines on a map, plan or chart.
8. CONTOUR LINE – A line on a map, plan, or chart joining points that have the same elevation above or below the reference plane.
9. CONTRACTOR – The firm or company charged with the task of overseeing the construction of the project or development; often the General Contractor.
10. COVENANT – Private deed restrictions or covenants are imposed on land by private landowners. Covenants bind and restrict the land in the hands of present owners and subsequent purchasers. Covenants are enforced only by the landowners involved and not by any public agency.
11. CROSS-SECTION – Either: (1) A cutting through something at right angles to its axis; or (2) A vertical section of the ground surface taken at right angles to a survey line.
12. CUL-DE-SAC, PERMANENT – A local street with only one outlet and having an appropriate terminal, usually circular, for the safe and convenient reversal of traffic movement.
13. CUL-DE-SAC, TEMPORARY – A temporary dead end street terminating at the boundary of a subdivision or of a phase of a subdivision, subject to approval by the Planning Commission. A temporary cul-de-sac not complete at the time of final plat approval must be completed within 2 years after the approval of the final plat, pursuant to the terms and requirements of a performance bond.
14. CURB LINE - The exposed approximately vertical face of the curb. Where there is no curb and gutter, "curb line" shall mean the edge of pavement of the public street and "curb cut" shall mean the width of the intersection of the driveway pavement (including radii) with the public street pavement.

"D" Definitions

1. DEAD END STREET – A street having only a single common ingress and egress
2. DEDICATION – The transfer of property by the owner to another party.
3. DEED – A legal document conveying ownership of real property.
4. DEVELOPER – Any person or persons, corporation, or other legal entity proposing to develop or build on a piece of land. The developer of a real estate development is the entity whose name shall be on the permit issued by the City of Newnan for that development. In the event that no name is on the permit, then the owner, by default, becomes the developer for the purpose of this ordinance.
5. DEVELOPMENT - All structures and other modifications of the natural landscape above and below ground or water, on a particular site, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations.

6. DIMENSION – Any measurable extent as in length, depth, width, etc.
7. DISTANCE – The measurement in lineal feet from the closest point of one reference such as a lot or building to the closest point of a second or subsequent reference point. See **figure D.1 for illustration of closest lines.**
8. DISTRICT, ZONING – A part, zone, or geographic area within the City in which certain common zoning or development regulations apply.
9. DISTURBANCE – Means either: (1) Any activity or action which modifies the physical layout or state of a piece of land; or (2) Anything that disturbs or creates a nuisance by sound, vibration, smoke, dust, light, appearance or other factor which can be classified as a nuisance; a departure from normal.
10. DRIVEWAY - A private drive providing access for vehicles to a parking space, garage, dwelling or other structure, or for general access to a piece of land from a public street.
 - a. JOINT DRIVEWAY - Straddles a property line and is used in common by both lots

Figure D.1



"E" Definitions

1. EASEMENT – A grant or reservation by the owner of a piece of land for the use of such land by others for a specific purpose or purposes by the public, the City, a corporation, or other persons, and which must be included in the conveyance of such land affected by the easement.
2. EGRESS – The area used, primarily by vehicular traffic, to exit or leave a site. Means of egress shall include any continuous and unobstructed way of exit travel from any point in a building or structure to a public way, consisting of three separate and distinct parts:
 - a) The way of exit access;
 - b) The exit; and
 - c) The way of exit discharge.

A means of egress comprises the vertical and horizontal ways of travel and shall involve the intervening room space, doors, corridors, passageways, balconies, stairs, ramps, enclosures, lobbies, horizontal exits, courts, and yards.
3. ELEVATION, GROUND – The original elevation of the ground surface prior to cutting, filling, or grading.
4. EROSION – The process by which land surface is worn away by the action of wind, water, ice, or gravity.
5. EXISTING GRADE – The slope or elevation of existing ground surface prior to cutting or filling.

"F" Definitions

1. FLOODPLAIN - Floodplain or flood-prone area means any land area susceptible to being inundated by water from any source.

2. FRONTAGE - The length of any one property line of a lot or parcel, which property line abuts a legally accessible street right-of-way. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under yards in this Ordinance.

"G" Definitions

1. GRADE – (1) The datum or reference elevation of the land around a building; or (2) the percent of rise or descent per 100 feet of a sloping surface such as pertaining to a street or other public way.
2. GRADE, EXISTING – The vertical location of the existing ground surface prior to cutting or filling.
3. GRADE, FINISHED – The final grade or elevation of the ground surface after cutting or filling and conforming to a proposed and approved design.
4. GRADING – Altering the shape of ground surfaces to specified elevations, dimensions, and/or slopes; this shall include stripping, cutting, filling, stockpiling and shaping or a combination thereof, and shall include the land in its cut or filled condition.
5. GROSS LAND AREA – A term referring to the gross size of a parcel or tract of land prior to subtracting land area for infrastructure, wetlands, steep slopes, and other environmental or codified constraints on the development of such land.

"I" Definitions

1. IMPERVIOUS SURFACE - Any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surface shall include graveled driveways and parking areas, impacted soil, buildings, paved area, and any other feature that prevents such infiltration. See Chapter 21, §21.060 subsection 7 for an explanation of how to calculate impervious surface.
2. IMPROVEMENT – Anything built, installed, or established by a developer, owner, or designated contractor, whether upon, above, or beneath the ground, which may facilitate the sale of lots and serves those uses proposed for such lots. Also includes required common recreational areas, i.e. amenity areas, walking trails, pools, etc.
3. IMPROVEMENT, PUBLIC -- Any street, sidewalk, pedestrian way, drainage structure, or other facility for which the City may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which City responsibility is established.
4. INFRASTRUCTURE – Facilities needed to sustain residential, commercial, industrial and other land uses and activities and shall include water, sewer, natural gas, electric power, streets and roads, communications, and other public facilities.
5. INGRESS – Access or entry to a site or structure.
6. INTERNAL – Pertaining exclusively to a specific parcel, lot, or tract of land either developed or suitable for development and not to any area outside such parcel, lot, or tract.
7. INTERSECTION OF TWO STREETS - Unless otherwise specified, is the intersection of the extended curb lines, made by extending the tangents to the corner radius.

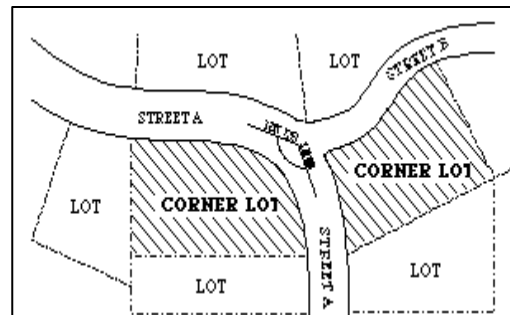
"L" Definitions

1. LAND DISTURBANCE PERMIT – Any permit other than a building permit issued by the City that authorizes clearing, grubbing, excavating, filling, or grading activities on a site or

portion of a site. Said permit may be Clearing, Clearing and Grubbing, or Development permit as defined and authorized under the Development Regulations of the City of Newnan.

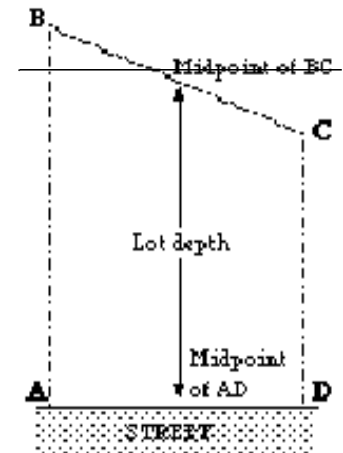
2. LAND LOT, DISTRICT, SECTION, MAP, BLOCK, PARCEL – A description of the property using tax map designations. More applicable to the city would be MAP NUMBER, BLOCK, and PARCEL (e.g. N-21, 0002, 006).
3. LANDSCAPE STRIP – Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are allowed.
4. LANDSCAPING – Means either: (a) An expanse of natural scenery; or (b) any combination of natural and man-planted and maintained features including lawns, trees, shrubs, other plants, decorative or natural ground cover, exposed rock, mulch, wood chips, water features, sculpture, paths, etc.
5. LAND USE – A description of how land is occupied, utilized, exploited, or otherwise is being employed by humans.
6. LAND USE MAP, FUTURE – A map, part of an adopted Comprehensive Plan, showing land use recommendations for the City projected over a twenty-year horizon.
7. LOT – A platted portion of a subdivision or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the public right-of-way of a road or walkway may be included. An easement may be counted when determining the area and dimensions of a lot if the nature of the easement will not eliminate an adequate building site; also, a portion of land devoted to a common use or occupied by a building or group of buildings devoted to a common use together with the customary accessories and open spaces belonging to the same.
8. LOT AREA – The total area within the defining and bounding lines of the lot, excluding street right-of-way.
9. LOT, CORNER - A lot abutting on and at the intersection of two (2) or more streets, the interior angle of such intersection not exceeding 135 degrees. See **Figure L.1 for illustration.**
10. LOT COVERAGE – The percentage of a lot which may be covered with permitted primary or accessory buildings or structures, excluding walks, drives, or other similar uses, and recreational facilities which are accessory to a permitted use.
11. LOT, CUL-DE-SAC – A lot or parcel of land fronting on the “bulb” or turn-around of a cul-de-sac street.

Figure L.1
Corner Lots

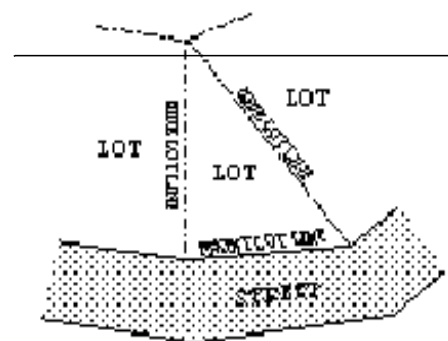
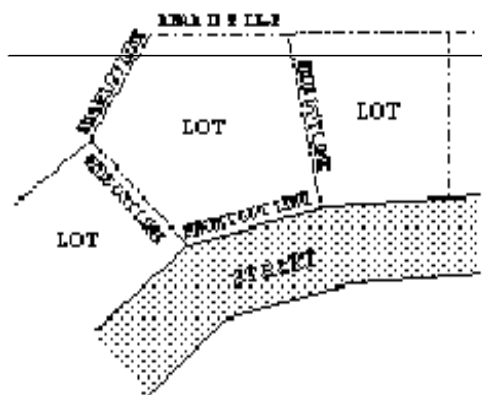


12. LOT, DEPTH OF - The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or to the most distant point on any other lot line where there is no rear lot line See **Figure L.2 for illustration.**

13. LOT, DOUBLE FRONT - A lot, other than a corner lot, abutting on two (2) or more streets.
14. LOT, FLAG - A lot with access provided to the bulk of the lot by means of a narrow corridor. Also referred to as pipe stem or pork chop lot.
15. LOT FRONTAGE - The length of the front lot line measured at the street right-of-way line.
16. LOT, INDIVIDUAL - A legal lot used or intended to be used as the site for one (1) institution or one (1) office or residential building and not used or intended to be used as the site for an apartment complex, other residential complex, shopping center, office complex, or other multi-use or multi-owner development.

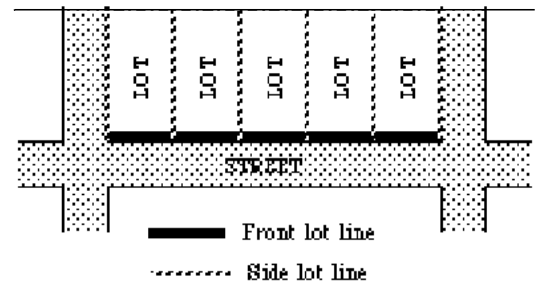


17. LOT, INFILL - An undeveloped or vacant lot or parcel situated adjacent to two (2) or more developed lots or parcels where the developed parcels adjacent and nearby are not part of a currently developing project or subdivision but that have been completed for at least five (5) years.
18. LOT, INTERIOR - An interior lot is a lot other than a corner lot.
19. LOT LINE - A line dividing one lot from another lot or from a street or alley. See **Figure L.3 and L.4 for illustration of irregular lot lines.**



20. LOT LINE, (Front) - On an interior lot, the lot line abutting a street; or, on a corner lot, the shorter lot line abutting a street; or, on a through lot, the lot line abutting the street providing the primary access to the lot; or, on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained. See **Figure L.5 for Illustration.**

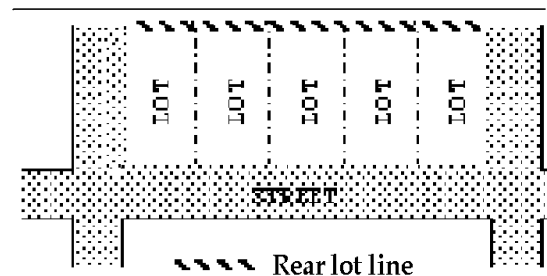
Figure L.5



21. LOT LINE, (Rear) - The lot line not intersecting a front lot line that is most distant from and most closely parallel to the front lot line. A lot bounded by only three lot lines will not have a rear lot line. See **Figure L.6 for illustration.**

22. LOT LINE, (Side) - Any lot line not a front or rear line. See **Figure L.5 for illustration.**

Figure L.6

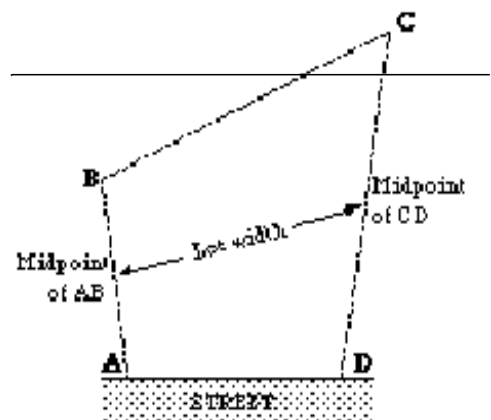


23. LOT OF RECORD - A lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat.
24. LOT, NON-CONFORMING - A lot or parcel of land that has less than the required minimum area or width as established by the zone in which it is located and provided that such lot or parcel was of record as legally created lot on the effective date of the ordinance codified in this title. Also referred to as a substandard lot.

Figure L.7

25. LOT, THROUGH - A lot having its front and rear yards each are abutting on a street.

26. LOT, WIDTH OF - The horizontal distance between side lot lines, measured at the required front setback line. See **Figure L.7 for illustration.**



"M" Definitions

1. MAP, FUTURE LAND USE – A component of the Comprehensive Plan, the future land use map indicates the preferred land use, categories of which are set by the State, for all lands within the City of Newnan, for a planning horizon of twenty (20) years. The future land use map, adopted by the City Council, shall show, in addition to preferred land uses, the locations of streets, street

rights-of-way, and drainage facilities to be improved, reconstructed, realigned, widened, or acquired; and parks and other public lands and facilities to be acquired.

2. MAP, ZONING – The official map or maps that are a part of the Zoning Ordinance of the City of Newnan, Georgia and which delineates the boundaries of zoning districts and is known as “The Official Zoning Map of the City of Newnan, Georgia”.
3. MODIFICATION – A relaxation of the terms of these regulations where such modification will not be contrary to the public health, safety and welfare, and where, owing to conditions peculiar to the property, and not the result of actions of the subdivider or owner, a literal enforcement of these regulations would result in unnecessary and undue hardship.

“N” Definitions

1. NAICS – The North American Industry Classification System (NAICS), developed by the U.S. Department of Commerce, and designed to replace the Standard Industrial Classification (SIC) code in June of 1998.

“O” Definitions

1. O.C.G.A. – The Official Code of Georgia.
2. OFFICIAL ACT OR ACTION – Any executive, legislative, administrative, appointive, or discretionary act of the City Council or appointed or designated official taken pursuant to the regular discharge of such individual’s or entity’s official duties.
3. OPEN SPACE – Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use, enjoyment as well as the use and enjoyment of owners, occupants, and their guests, of land adjoining or neighboring such open space. See Chapter 22, §22.040, subsection 11 of the zoning ordinance for a more detailed description of open space requirements and Chapter 21, §21.060, subsection 6 of the zoning ordinance for an explanation of how to calculate open space. (Amended by City Council on 02/11/03)
4. OPEN SPACE, COMMON - Open space which may or may not be related to a development, which is dedicated or available for public use on a limited or unlimited basis.

“P” Definitions

1. PARCEL – A continuous lot or tract of land in the possession of or owned by, or recorded as the property of, the same person or persons.
2. PULL OFF PARKING - The arrangement of off-street parking spaces in such a manner that automobiles must back onto the public street in order to exit from the parking spaces.
3. PEDESTRIAN – Means either (a) traveling on foot; or (b) a person traveling on foot.
4. PERFORMANCE GUARANTEE – A financial guarantee to ensure that all improvements, facilities, or work required by this ordinance will be completed in compliance with the ordinance, regulations, and the approved plans and specifications of a development.
5. PHASE OR PHASING – Development undertaken in a logical time and geographical sequence. Phasing is the breaking up of a large development into several manageable parts for marketing, financing, labor, supply, and equipment facility. Also **Pod, Module, Land Use Area**.
6. PLAN, SITE – A plan or plat showing specific development detail regarding the improvement of an individual legal lot or parcel.

7. PLAN, SKETCH – Similar to a concept plan, a sketch plan is a general rendering of a development plan for a project which does not include construction or engineering detail, and showing those plan elements as further required by this Ordinance.
8. PLAN, SPECIFIC – A plan that provides specific planning and design proposals for a defined geographic sub-area of the City. Also **Area Plan**.
9. PLANNING COMMISSION – A body appointed by the City Council whose duty is to hear and make recommendations on rezoning applications, changes to the Zoning Ordinance text, approve subdivision plats, and other duties as specified by this Ordinance.
10. PLANNING AND ZONING DEPARTMENT – Also referred to as the Planning Department, this is the administrative department of the City of Newnan that serves as staff to the Planning Commission and other duties as specified by this Ordinance.
11. PLANNING DIRECTOR – The Planning Director of the City or his or her designee.
12. PLAT, FINAL – A finished drawing of a subdivision showing completely and accurately all legal and engineering information as required by this Ordinance and showing all certification required for recording.
13. PLAT, PRELIMINARY – A drawing which shows the proposed layout of a subdivision of land in sufficient detail to indicate unquestionably its workability and functionality, but is not in final form for recording and the details are not completely computed.
14. PRE-APPLICATION MEETING – Any pre-development, pre-submittal meeting between the owner/developer of a property and the members of the Development Review Committee (DRC) to discuss the issues and requirements for development and to further the owner/developers understanding of the process whereby such owner/developer may make a better application that may require fewer changes or modifications during the review process. Such a meeting may save the owner/developer significant time and expense. Such a meeting is mandatory in some circumstances as provided by this Ordinance and in all other circumstances it is an option.
15. PROFFERED CONDITIONS – To offer incentives in order to support an application made for a rezoning.
16. PROJECT – A development with the necessary site improvements, on a particular parcel of land.
17. PROPERTY – Means either (a) any piece of land which is legally described using lengths and bearings and also identified on the tax maps of the Coweta County Assessors office; or (b) any property, either real or personal, tangible or intangible, and including currency and commercial paper.
18. PROPERTY LINE – A line or recording bounding a lot which divides one lot from another lot, from a public or private street, or any other public space. Also **Lot Line**.
 - a. EXTENDED PROPERTY LINE- A line extending from the front property corner of a lot to the curb line of the street, perpendicular to said curb line.
19. PUBLIC SEWER SYSTEM – Any system, other than an individual septic tank or tile field that is operated by a local government or authority for the collection, treatment, and disposal of wastewater.
20. PUBLIC WATER SYSTEM – A system other than an individual well, of treated and piped water for public consumption and other use, if such a system has a minimum of fifteen

(15) connections, or regularly serves an average of at least twenty-five (25) individuals or businesses daily, at least sixty (60) days out of the year.

"R" Definitions

1. RESUBDIVISION – A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.
2. RIGHT-OF-WAY (ROW) – A strip of land acquired by reservation, dedication, forced dedication, prescription, condemnation, or purchase and occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.
3. RIVER – A Continuous flowing body of water that is part of a greater system or watershed. See **Stream or Creek**.
4. RIVER/STREAM BANK – The rising ground, bordering a river or a stream, which serves to confine the water to the natural channel during the normal course of flow.
5. ROAD, PUBLIC – All public property reserved or dedicated for street traffic.
6. ROAD, PRIVATE – A way open to vehicle ingress and egress established as a separate tract for the benefit of certain, adjacent properties. This definition shall not apply to driveways.
7. ROADWAY DRAINAGE STRUCTURE – A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material such that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas. and carrying water to a release point on the other side.

"S" Definitions

1. SCALE – Means either: (a) the relationship between distances on a map and actual ground distances; or (b) the proportional relationship of the size of individual parts to one another.
2. SETBACK – The minimum horizontal distance between a street right-of-way or a lot or property line and the nearest front, side, or rear line of the building, or any covered projection therefrom (excluding steps, roof overhang, and minor covered porches).
3. SIDEWALK - A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.
4. SIGHT DISTANCE, ADEQUATE – An unobstructed view of the entire intersection and sufficient lengths of the intersecting highway to permit control of the vehicle to avoid collisions.
5. SITE – Means either: (a) any tract, lot, or parcel or land in combination of tracts, lots, or parcels of land which are in one (1) ownership or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project; (b) all contiguous land and bodies of water in one (1) ownership, graded or proposed for grading or development as a unit, although not necessarily at one time; or, (c) regarding historic properties, a site is the location of a significant event, a prehistoric or historical occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing structure.
6. SITE DENSITY FACTOR (SDF) – The minimum number of Tree Density Units per acre which must be achieved on a property after development [fifteen (15) units per acre,

exclusive of any acreage within a zoning buffer and any trees required to be preserved or planted in a zoning buffer].

7. SITE PLAN – A document or group of documents containing sketches, text, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, siting of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements.
8. SKETCH PLAN – See **Plan, Sketch**.
9. SLOPE – The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees. See Chapter 21, §21.060 subsection 5 of the Zoning Ordinance for an explanation of how to calculate slope.
10. SPECIAL DISTRICTS – Refers to overlay districts located within certain areas of the City of Newnan. See Chapter 28 of the Zoning Ordinance for more detailed information on the special districts.
11. STORMWATER MANAGEMENT – Means: (1) for quantitative control, a system of vegetative and structural measures that control the increase in volume and rate of surface runoff caused by manmade changes to the land; and (2) for qualitative control, a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.
12. STREAM – General term applied to all bodies of water flowing in channels regardless of their size:

Any stream beginning at:
 1. The location of a spring, seep, or groundwater outflow that sustains stream flow; or
 2. A point in the stream channel with a drainage area of 25 acres or more; or
 3. Where evidence indicated the presence of a stream in a drainage area of other than 25 acres, the City of Newnan may require field studies to verify the existence of a stream.
13. STREAM BANK – The point where the upward slope of the land from the water surface, or the bottom of a dry excavation intersects with the existing ground elevation or crest of berm, whichever is of higher elevation.
14. STREET – A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles. Streets are further classified by the functions they perform.

1. ARTERIALS

a) Urban principal arterial system-- serve the major centers of activity of a metropolitan area, the highest traffic volume corridors, and the longest trip desires; and should carry a high proportion of the total urban area travel on a minimum of mileage. The system should be integrated, both internally and between major rural connections.

Because of the nature of the travel served by the principal arterial system, almost all fully and partially controlled access facilities will be part of this functional system. In order to preserve the identification of controlled access facilities, the principal arterial system is stratified as follows:

1. Interstate Principal Arterial- those routes presently designated by the USDOT as part of the Interstate System.

2. Urban Freeway and Expressway – limited-access urban arterials not on the Interstate System

3. Urban Principal Arterial- uncontrolled or partial controlled access

b) Urban minor arterial street system-- The minor arterial street system should interconnect with and augment the urban principal arterial system but provide service at a lower level of mobility than urban principal arterials.

Urban Minor Arterial Street- provide service to trips of moderate length within an urban area, and this system should distribute travel to geographic areas smaller than those identified with the higher system. Such facilities may carry local bus routes and provide intra-community continuity but ideally should not penetrate identifiable neighborhoods. This system should include urban connections to rural collector roads where such connections have not been classified as urban principal arterials.

The spacing of minor arterial streets may vary from 1/8 - 1/2 mile in the central business district to 2 - 3 miles in the suburban fringes, but should normally be not more than 1 mile in fully developed areas.

2. COLLECTORS

Urban collector street system- The collector street system provides land access service and traffic circulation within residential neighborhoods, commercial and industrial areas.

Urban Collector Street- collects traffic from local streets in residential neighborhoods and channels it into the arterial system. In the central business district, and in other areas of like development and traffic density, the collector system may include the street grid which forms a logical entity for traffic circulation.

3. LOCAL ROADS

Urban local street system- The local street system comprises all facilities not on one of the higher systems

Urban Local Road-- serves primarily to provide direct access to abutting property and access to the higher order systems. It offers the lowest level of mobility and usually contains no bus routes. Service to through-traffic movement usually is deliberately discouraged. Urban local roads constitute the urban public road mileage not classified as part of the principal arterial, minor arterial, or collector systems inside of urban areas.

14. STREET AREA – The area of land within a development used by streets
15. STREET CLASSIFICATION – A functional system for the classification of public roads and rights-of-way as identified and described within this Ordinance.
16. STREET FRONTAGE – The length of any one property line of a premise, which property line abuts a legally accessible street right-of-way. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under the zoning definition for yards.
17. STREET, HALF – A right-of-way dedicated by a developer along such developer's perimeter property line which, together with a corresponding amount of right-of-way to be added at a subsequent date from adjoining land, comprises the total right-of-way required for a proposed street.

18. STREET JOG – A discontinuity in the street center line by an offset of the dedicated street right-of-way
19. STREET, PRIVATE – A street that has not been accepted by the City.
20. STREET, PUBLIC – A street that has been accepted by the City.
21. STRUCTURE – Means either: (a) anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including but not limited to buildings, towers, smokestacks and overhead transmission lines; or (b) any structure constructed and used for residence, business, industry, or other public or private purposes or accessory thereto and including tents, lunch wagons, dining cars, trailers, mobile homes, sheds, garages, carports, animal kennels, or structures, storerooms, billboards, signs, gasoline pumps and similar structures, whether stationary or movable.
22. SUBDIVIDER – Any person, individual, firm, partnership, association, corporation, estate, or trust, or any group of trusts, or any group or combination of groups acting as a unit, dividing, or proposing to divide land so as to constitute a subdivision as herein defined, including any agent of the subdivider.
 - a. SUBDIVISION – All divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, legacy, or building development, and includes all divisions of land involving a new street or a change in existing streets, and includes re-subdivision, and where appropriate to the context, relates to the land or area subdivided
23. SUBDIVISION, MAJOR – Any subdivision not classified as a minor subdivision.
24. SUBDIVISION, MINOR – Any subdivision containing not more than four (4) lots fronting on an existing public street, not involving any new street or the extension of municipal facilities or the creation of any public improvements, not adversely affecting future subdivision of the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the master plan, official map, zoning ordinance, or these regulations; except that a phase of a larger subdivision under development may not be treated as a minor subdivision.
25. SUBDIVISION, NONRESIDENTIAL – A subdivision whose intended use is other than residential, such as commercial or industrial.
26. SURETY – Something that makes sure or gives assurance, as against loss, damage, or default; security, guarantee. For the purpose of this Ordinance, surety shall include a performance bond or certified letter of credit.
27. SURVEY – The process of precisely ascertaining the area, dimensions, and location of a piece of land, especially for the purpose of accompanying the legal description of a property.
28. SURVEYOR, REGISTERED LAND – A land surveyor properly licensed and registered in the State of Georgia.

"T" Definitions

1. TERRAIN – Ground or a tract of earth, with regard to its natural or topographical features.

2. TOPOGRAPHY – The configuration of surface features of a region, including its relief and rivers, lakes, and showing relative elevations.
3. TRACT – An area, parcel, site, piece of land, or property that is subject of a development application.
4. TRAFFIC CALMING - The combination of mainly physical measures that reduce the speed of motor vehicles, alter driver behavior and improve conditions for non-motorized street users.
5. TRAFFIC IMPACT STUDY – A report analyzing anticipated roadway conditions with and without an applicant's development.

"U" Definitions

1. UNDEVELOPABLE AREA – That area of a site that due to physical or legal constraints, such as floodplains, wetlands, steep slopes, etc., cannot be developed. Also **unbuildable area, non-buildable area.**
2. UNDISTURBED – Shall mean no site disturbance except that listed in Chapter 19, Watershed Overlay Districts" of the Zoning Regulations.
3. USE – The specific purpose for which land or a building is intended, arranged, designed or for which it may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.
4. UTILITY – Public, private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems and railroads or other utilities identified by a local government.

"V" Definitions

1. VARIANCE – Means either: (a) a variance granted for bulk relief that would result in an opportunity for improved zoning and planning that would benefit the community; (b) the modification of any requirement of this Ordinance such that strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of this Ordinance. A variance shall be granted in a manner that would be no greater than a reasonable deviation from the requirements of this Ordinance needed to relieve the identified hardship.

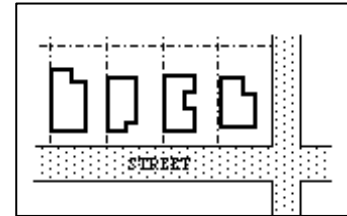
"W" Definitions

1. WALL - A solid structure that defines and sometimes protects an area. Most commonly, a wall delineates a building and supports its superstructure, separates space in buildings into rooms, or protects or delineates a space in the open air. There are three principal types of structural walls: building walls, exterior boundary walls, and retaining walls. Building walls have two main purposes: to support roofs and ceilings, and to divide space, providing security against intrusion and weather. Boundary walls include privacy walls, boundary-marking walls, and city walls. The conventional differentiation between a boundary wall and a fence is that a fence is of minimal thickness and often is open in nature, while a wall is usually more than a nominal thickness and is completely closed, or opaque. More to the point, if an exterior structure is made of wood or wire, it is generally referred to as a fence, while if it is made of masonry, it is considered a wall. Retaining walls are a special type of wall that may be either external to a building or part of a building that serves to provide a barrier to the movement of earth, stone or water. The ground surface or water on one side of a retaining wall will be noticeably higher than on the other side.

"Z" Definitions

1. ZERO LOT LINE – The location of a building on a lot in such a manner that one (1) or more of the building's sides rests directly on a lot line and that all buildings utilize the same side of the lot. See **Figure Z.1 for illustration.**
2. ZONE, OVERLAY – A zoning district that encompasses one or more underlying zones and that imposes additional requirements beyond that required by the underlying zone(s).
3. ZONING – The delineation of districts and the establishment of regulations governing the use, placement, spacing, and size of land, buildings, and other physical site improvements.
4. ZONING ADMINISTRATOR – The Zoning Administrator shall be the Planning Director, unless otherwise appointed by the City Manager and shall have the responsibility to carry out those duties as prescribed by this Ordinance.
5. ZONING APPEALS, BOARD OF – The appointed Board of Zoning Appeals of the City of Newnan, Georgia authorized to hear and decide on variance applications, administrative appeals, and other duties as determined by this Ordinance.
6. ZONING BUFFER – A buffer, as defined in and required by the zoning ordinance or as a condition of zoning, Special Exception, or variance approval for a specific property. Also **Buffer.**
7. ZONING DISTRICT – A portion of the territory of the city, exclusive of streets, alleys, and other public ways, within which certain uses of land, premises, and buildings are not permitted and within which certain yards and open spaces are required and certain height limits are established for buildings.
8. ZONING MAP – See **Map, Zoning.**
9. ZONING ORDINANCE – The Zoning Ordinance of the City of Newnan, Georgia, as amended from time to time by the City Council, which regulates the location, size, use, and other elements deemed important by the governing body, of the land within the City of Newnan

Figure Z.1
Zero Lot Lines



Section 3. Jurisdiction and Applicability.

1. Jurisdiction

These regulations shall govern the subdivision or resubdivision of land within the territorial limits of the City of Newnan.

2. Applicability

The requirements herein established shall apply to any subdivision of land in the City of Newnan except those exempted below. Where there is a conflict between the terms and/or requirements contained in this section and another section contained in these regulations, as amended or any other ordinance, code, or regulation of the City of Newnan, Georgia, the more restrictive shall apply.

Section 4. Land Subdivision, Scope of Term.

Land subdivision includes all divisions of a tract or parcel of land into two or more lots, building sites, or other division for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets, and includes resubdivision and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

1. Divisions or sale of land by judicial decree.

There shall be two subdivision types within the City of Newnan including:

a. SUBDIVISION, MAJOR – Any subdivision not classified as a minor subdivision.

b. SUBDIVISION, MINOR – Any subdivision containing not more than four (4) lots fronting on an existing public street, not involving any new street or the extension of municipal facilities or the creation of any public improvements, not adversely affecting future subdivision of the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the master plan, official map, zoning ordinance, or these regulations; except that a phase of a larger subdivision under development may not be treated as a minor subdivision.

Section 5. Compliance With Regulations Prerequisite to Approval of Subdivision.

No subdivision of land within the City that fails to meet the requirements of these regulations shall be approved by the Planning Commission.

Section 6. Transfer, Sale of Land in Unapproved Subdivision.

The transfer of, sale of, agreement to sell, or negotiation to sell land by reference to or exhibition of, or other use of a plat of a subdivision that has not been given final approval under the terms of these regulations and recorded in the Office of the Clerk of the Superior Court of Coweta County shall be a misdemeanor, punishable as provided by law; and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from such penalties.

Section 7. Construction Prohibited.

1. Street Work

No public authority shall accept, lay out, improve, grade, pave, light or maintain any street nor lay nor authorize the utilities or facilities in a street not shown on an approved and recorded final plat, unless such street has received the legal status of a public street.

2. Building Construction

No building permit shall be issued for and no building or other structure shall be erected on any lot within the City unless:

- a. The street giving access to said lot is a public street, as specified above, or
- b. The street giving access to said lot is a private street, per requirements of Section 11, subsection 14 of these regulations, or
- c. The lot has been properly subdivided from a shopping center or office complex, per requirements of Chapter 23, Section 23.040(10), of the Zoning Ordinance, or
- d. The lot, if created after the effective date of these regulations, is in conformity with the provisions of these regulations. Any building erected in violation of these provisions is an unlawful structure and the Building Official, City Attorney, or other agent of the City shall enjoin such erection or cause the building to be vacated or removed.

Section 8. Effect of Conflict of Provisions.

Insofar as the provisions of these regulations are inconsistent with the provisions of any other ordinance, the provisions of these regulations shall be controlling. The requirements of, restrictions imposed and powers conferred by these regulations shall be in addition and supplemental to the requirements of, restrictions imposed, and powers conferred by other ordinances.

Section 9. Variances.

Applications for variances from the provisions of these regulations ~~and appeals from decisions of the Planning Commission~~ shall be heard by the Board of Zoning Appeals under the terms of the City of Newnan Zoning Ordinance.

Section 10. Plats.

1. Preapplication Review Of Proposed Subdivision

- a. Duty of Subdivider—Whenever the subdivision of a tract of land within the City is proposed, the subdivider or his agent shall consult early and informally with the secretary of the Planning Commission. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision.
- b. Purpose of Review—The purpose of the pre-application review is to facilitate the subsequent preparation of plans.
- c. Fees—No fees shall be charged for a preapplication review.

2. Application for Preliminary Plat Approval

A preliminary plat shall not be required for a minor subdivision. The subdivider may apply directly for final plat approval.

For a major subdivision, following the preapplication review, the subdivider or his agent shall submit to the **City of Newnan**: ~~secretary of the Planning Commission~~:

- ~~a. A letter requesting review and approval of a preliminary plat and giving the name and address of the person to whom the notice of the hearing by the Planning Commission on the preliminary plat shall be sent.~~
- a. The preliminary plat which shall meet the requirements of subsection 3 below.
- c. A preliminary plat filing fee as established by the City Council.

~~3. Review of Preliminary Plat~~

- ~~a. Report, Hearing Required—The secretary of the Planning Commission shall review the plat submitted pursuant to subsection 2. above for conformance to the rules and regulations of these regulations and report his/her findings and recommendations to the Planning Commission. The Planning Commission shall provide a hearing on the preliminary plat, notice of the time and place of which shall be given by the secretary of the Planning Commission to the persons designated in the letter requesting preliminary plat review and approval, not less than five (5) days prior to the date of the hearing. The Planning Commission shall review and take action on said plat with the following criteria in mind:~~
 - ~~1) Whether the proposed plat meets the requirements of these regulations.~~
 - ~~2) Whether the proposed plat meets the requirements of zoning.~~
 - ~~3) Layout of streets, roads and other transportation infrastructure. Review for possible street connections and other transportation system coordination.~~
 - ~~4) Whether the proposed plat meets the requirements of the City of Newnan Landscaping Ordinance as provided by the Landscape Architect.~~
 - ~~5) Other criteria that, in the opinion of the Planning Commission, will have a significant impact on the public health, safety, and welfare.~~
- ~~b. Action by Planning Commission—Thereafter, the Planning Commission shall give tentative approval or disapproval to the preliminary plat. A notation of the action shall be made on two (2) copies of the preliminary plat, including a statement of the reasons therefore if the preliminary plat is disapproved. One (1) copy shall be returned to the subdivider or his agent and one (1) copy added to the official records of the Planning Commission.~~
- ~~c. Effect, Duration of Approval—Tentative approval of a preliminary plat does not constitute approval of a final plat. It indicates only approval of the layout as a guide to the preparation of the engineering plans and final plat. Tentative approval shall expire and be null and void after a period of one (1) year unless an extension of time is approved by the Planning Commission.~~
- ~~d. Failure of Planning Commission to Act—Once the applicant has met the requirements of the ordinance determined by staff review of the regulations for the preliminary plat, the Planning Commission must act within forty five (45) days after placement on the agenda or the preliminary plat shall be considered approved. However, the applicant for approval may waive this requirement and consent to an extension of time.~~

3. Preliminary Plat Specifications

- a. Generally--The preliminary plat shall be clearly and legibly drawn in black ink on drafting film, or other heavy duty paper by a civil engineer, landscape architect, or land surveyor currently registered in the State of Georgia.
- b. Scale—The preliminary plat shall be clearly and legibly drawn at a scale of not more than one hundred (100) feet to one (1) inch.
- c. Sheet Size—Sheet size shall be eighteen (18) inches by twenty-four (24) inches. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.
- d. Electronic submittals - All preliminary plats which have been reviewed and approved by staff shall also be submitted in a pdf format.
- e. Ground Elevations—The preliminary plat shall show ground elevations by contours at intervals of not more than two (2) feet, based on a datum plane as approved by the Building Official. If any part of the land platted lies within a Flood Hazard District, as defined by these regulations, elevations shall be referenced to the National Geodetic Vertical Datum of 1983 and the boundaries of that District shall be drawn on the plat.
- f. Information to be Provided on Preliminary Plat—The preliminary plat shall contain the following information:
 - 1) Name and address of owner of record and of subdivider.
 - 2) Developer Name and Addresses
 - 3) Project Surveyor/Engineer Name and Addresses
 - 4) Proposed name of subdivision.
 - 5) North point, graphic scale and date.
 - 6) Vicinity map showing location
 - 7) Acreage of the subdivision.
 - 8) Tax map, block, and parcel number.
 - 9) Exact boundary lines of the tract by lengths and bearings.
 - 10) Lot Numbers (based on projected development order)
 - 11) Building Setback Lines
 - 12) Names of owners of record of adjoining land.
 - 13) Existing streets and utilities on and adjacent to the tract.
 - 14) Proposed layout including streets and alleys with proposed street names, right-of-way and pavement widths, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single-family dwellings.

- 15) Locations of existing and proposed water supply, sanitary sewerage, and storm drainage lines and structures.
- 16) Such street cross-sections and center line profiles as may be required by the City Engineer.
- 17) Acreage in Street Right-of-Ways
- 18) Lineal Feet of Streets
- 19) Show all pedestrian oriented features including but not limited to: sidewalks, crosswalks and ramps.
- 20) Lineal Feet of Sidewalks
- 21) Acreage in Single-Family Lots
- 22) Acreage in Other Land Uses
- 23) Average Lot Size
- 24) Location of Watercourses and applicable stream buffers
- 25) Location of Floodplain Areas and Floodway Elevations
- 26) Floodplain Note, referenced to FEMA
- 27) Minimum Floor Elevation (show for each lot within a flood plain)
- 28) General Location of any Proposed Structural Stormwater Management Facilities
- 29) Ponds, Marshes, wetlands and all other Significant Natural or Man Made Features
- 30) Location of Street Lights

~~g. Certificate of Tentative Approval A certificate of tentative approval of the preliminary plat by the Planning Commission shall be inscribed on the plat as follows:~~

~~Pursuant to the Land Subdivision Regulations of the City of Newnan, Georgia, all the requirements of tentative approval having been fulfilled, this preliminary plat was given tentative approval by the Newnan Planning Commission at its meeting on _____, 20____~~

~~_____
Date Secretary, Planning Commission~~

4. Subdivision and Street Naming

The proposed name of the subdivision and any required street names shall be submitted to the City of Newnan for review and approval. Guidelines for selecting acceptable names area as follows:

- a. Names duplicating or phonetically similar to existing names will be rejected. Furthermore, street names within the same development cannot be replicated by switching the street type.
- b. Developments choosing locational names that do not have a geographic or historic relationship to the area where the development will occur, will be rejected, e.g., a

development with the name Browns Mill must have an approximate location to the Brown's Mill Battlefield Historic Site.

- c. Use road names that do not exceed fifteen (15) characters in length (excluding the street type); this is due to sign space limitations.
- d. Names must be easy to pronounce and should effect a positive connotation.
- e. Double street names are not allowed; e.g., Deer Path Lane
- f. All streets must have an acceptable type; e.g., Road, Lane, Path, etc.
- g. Punctuation is not allowed; e.g., periods, hyphens, apostrophes, etc.
- h. Directional and numbers are not allowed; e.g., North Star Lane, Four Corners Drive, etc.
- i. Names should be pleasant sounding, appropriate and easy to read so that the public can communicate the name in an emergency situation.
- j. Names must use common historic spelling for a word; e.g., Dakota vs. Dakotah or Senoia vs. Senoya.
- k. A new road name cannot begin with the name "New" or "Old" if the road name has historically been in use or is found in the official Street Name Index.
- l. The name of the subdivision should be incorporated into the name of the primary entrance street in a way that is consistent with the other naming criteria listed herein.

All subdivision and street names must receive approval from the Coweta County E-911 agency.

5. Application for Final Plat Approval

After the preliminary plat has been given approval by the City of Newnan ~~Planning Commission, the engineering plans approved, and all requirements of subsection 6. below completed~~, the subdivider or his agent shall submit to the Director of the Planning Department:

- a. The final plat which shall meet these requirements ~~set out in these regulations of subsection 9. below.~~ **set out in these regulations** of
- b. A letter requesting review and approval of the final plat.
- c. A final plat filing fee as established by the City Council.
- d. A warranty deed describing all street right-of-ways and utility easements to be dedicated to the City without restriction (no drainage ditches or other open drainage ways shall be described in the conveyance or accepted by the City).
- e. A title certificate in favor of the City from an attorney licensed to practice law in the City of Newnan dated the date of the deed certifying that the owner/subdivider of the property owns the property to be dedicated identifying all liens, mortgages, security deeds, mechanics or material men's liens (hereinafter called "liens") affecting the property to be dedicated.
- f. Any lien releases, or releases or quitclaim deeds necessary to release the dedicated areas from the liens identified in the attorney's title certificate.
- ~~g. A check payable to the Clerk of Superior Court in an amount sufficient to record the deed, lien releases and final plat.~~
- g. A performance bond to guarantee the installation of any infrastructure not installed at the time of the request. (See subsection 10. below)
- h. A maintenance bond to assure the structural durability, stability and integrity of the associated improvements. (See subsection 10. below)

- i. Documentation by an engineering testing firm acceptable to the City, certifying that all subgrade conditions, construction and materials meet the City's standards. Said certification shall be based on the level of testing specified by the City.

6. Completion Required

The following infrastructure items shall be properly completed prior to final plat approval:

- a. Storm drainage facilities including structural stormwater management facilities
- b. Curb and gutter, granular base, and base asphalt
- c. Water lines and fire hydrants, sanitary sewer lines and manholes
- d. Traffic control devices and pavement markings
- e. Soil erosion control measures
- f. Pin marker locations

7. Review of Final Plat

- a. Review of Final Plat—The Director of the Planning Department shall review the final plat ~~pursuant to subsection 5-~~ for conformance with the approved preliminary plat and with the rules and regulations of these regulations.
- b. Action By Director of the Planning Department—Thereafter, the Director of the Planning Department shall approve or disapprove the final plat. A notation of the action shall be made on the original and two (2) prints of the final plat, including a statement of the reasons therefore if the final plat is disapproved. ~~The final plat shall be forwarded to the Planning Commission for action if questions arise about~~

~~the degree of conformance or if the Director of the Planning Department fails to review the plat within thirty (30) days of submission.~~

8. Recording of Final Plat

- a. Required—Upon approval of a final plat and acceptance of streets by the City Council, the ~~Director of the Planning Department~~ subdivider or his agent shall have the final plat recorded in the Office of the Clerk of the Superior Court of Coweta County. The subdivider or his agent shall be responsible for the payment of the recording fee.
- b. Duty Upon Recordation—Upon recording of the approved final plat, ~~the original drawing or a reproducible copy on drafting film~~ a digital copy of the final plat, in a format approved by the City of Newnan, with all certificates endorsed thereon shall be provided by the subdivider for the records of the Planning Department.

9. Final Plat Specifications

The final plat shall conform to and meet the specifications of the preliminary plat, with the following additions:

- a. Generally—The final plat shall be clearly and legibly drawn in black ink on drafting film/paper by a civil engineer, landscape architect, or land surveyor currently registered in the State of Georgia.

- b. Courses, Distances—Courses and distances to the nearest existing street lines or benchmarks or other permanent monuments.
- c. Municipal, County, Land Lot Lines—Municipal, county, or land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.
- d. Tax map, block and parcel number.
- e. Drainage Easement Note - The final plat shall have the following note clearly and legibly printed. The owner of record, on behalf of himself (itself) and all successors in interest specifically releases the City of Newnan from any and all liability and responsibility for flooding or erosion from storm drains or from flooding from high water of natural creeks, rivers or drainage features shown herein. A drainage easement is hereby established for the sole purpose of providing for the emergency protection of the free flow of surface waters along all watercourses as established by the regulations of the City of Newnan. The Public Works Director may conduct emergency maintenance operations within this easement where emergency conditions exist. Emergency maintenance shall be the removal of trees and other debris, excavation, filling and the like, necessary to remedy a condition, which in the judgment of the Public Works Director, is potentially injurious to life, property or the public roads or utility system. Such emergency maintenance, conducted for the common good, shall not be construed as constituting a continuing maintenance obligation on the part of the City of Newnan nor an abrogation of the City's rights to seek reimbursement for expenses from the owner/s of the property/ies of the lands that generated the conditions.
- f. Boundaries—Exact boundary lines of the tract, determined by a field survey giving distances to at least the nearest one-tenth (0.10) foot and angles to at least the nearest minute, which shall be balanced and closed with an error of closure not to exceed one to ten thousand (1:10,000).
- g. Streets, Alleys—Exact locations, widths, and names of all streets and alleys within and immediately adjoining the plat.
- h. Street Center Lines—Street center lines showing angles of deflection, angles of intersections, radii, and lengths of tangents.
- i. Lot Lines—Lot lines with dimensions to the nearest one-tenth (0.10) foot and bearings.
- j. Lot Areas—Area of each lot, in acres or square feet, to at least four (4) significant figures.
- k. Lot, Block Identification—Lots numbered in numerical order and blocks lettered alphabetically. (based on preliminary plat)
- l. Easements, Reservations—Location, dimensions and purposes of any easements and any areas to be reserved or dedicated for public use.
- m. Monuments, Markers—Accurate location, material and description of at least three (3) monuments and markers.
- n. Property identified for public use or dedication and for common use of property owners.
- o. Setbacks – The building setbacks for the parcel shall be applied to the final plat.

- p. Landscape and Stream Buffers – these shall be shown when in a special district
- q. Addresses – As assigned by the City of Newnan Planning and Zoning Department shall be placed on the final plat for each lot within question.
- r. Private Covenants—A statement, either directly on the plat or identified attached document, of any private covenants.
- s. Surveyor's Certificate—A surveyor's certification, directly on the final plat as follows:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown hereon actually exist and their location, size, type and material are correctly shown; and that all requirements of the land subdivision regulations of the City of Newnan, Georgia have been fully complied with.

By _____

Reg. Georgia Land Surveyor
No.

- t. Owner's Certificate—An owner's certification, directly on the final plat, as follows:

**Owner's Certification:
State of Georgia, County of Coweta**

I, being the owner of the land shown on this plat, hereby certify that: all state, city and county taxes or other assessments now due on this land have been paid; all streets, drainage ways and easements shown hereon are dedicated to the use of the public and enforcement by public safety officials forever; and, that I will be responsible for the maintenance and repair of all infrastructure associated with this development until expiration of the maintenance period.

Property Owner

Date

- u. Health Department Certificate—A certificate of approval of the County Health Department if septic tanks are used, directly on the final plat.
- v. City of Newnan Certificate—A certificate of acceptance, directly on the plat, as follows:

The City of Newnan hereby accepts all street right-of-ways and the improvements therein and any catch basins, junction boxes, storm drainage pipe easements, or other structures or areas outside of said street right-of-way (excluding ditches and other open drainage ways) which are specifically indicated on this plat as being dedicated to the public; however, this certification does not obligate the City to maintain the above stated infrastructure until expiration of the maintenance period.

City Manager

Date

- w. Director of the Planning Department's Certificate—A certificate of approval of the final plat by the Director of the Planning Department, directly on the plat, as follows:

Pursuant to the land subdivision regulations of the City of Newnan, Georgia, all requirements of approval having been fulfilled, this final plat was given final approval on _____, 20____.

Director of the Planning Department

Date

- x. Electronic submittals - All final plats which have been reviewed and approved shall be submitted in a digital format acceptable to the City of Newnan's standards

10. Completion and Maintenance of Streets, Infrastructure and Improvements

Any paving or infrastructure, including but not limited to temporary cul-de-sacs, not complete at the time of final plat approval must be completed within 2 years after the approval of the final plat. A performance bond, or other acceptable financial surety, in the amount of 125% of the actual construction cost, shall guarantee completion of the streets and other infrastructure being dedicated for public use to include sidewalks. Upon satisfactory completion of all improvements, the performance bond or other acceptable financial surety will be released to the developer. Field inspections to determine satisfactory completion will occur at least two months prior to expiration of the performance bond or other financial surety. Notification of any necessary corrections will be sent to the developer immediately thereafter. If the developer fails to make the necessary corrections within 14 days of the performance bond expiration, notice will be sent that the City is preparing to take necessary action against the performance bond or other acceptable financial surety to satisfactorily complete installation of the streets and infrastructure.

The developer shall also provide a maintenance bond in the amount of 50% of the actual cost of construction to guarantee the quality of materials and workmanship for infrastructure that is complete at the time of the final plat. The bond shall be in effect for a minimum of two years after the approval of the final plat and shall continue to be in effect until 80% of the development/subdivision is completed (whichever is greatest.)

Any improvements, amenity areas, recreation areas, etc. must be completed within two (2) years after approval of the final plat. The developer shall also provide a performance bond in the amount of 125% of the actual cost of construction to guarantee completion of recreation areas, amenity areas, and other private improvements shown at the time of final plat approval. The bond shall be in effect for two years after the approval of the final plat and shall continue to be in effect until 50% of the development/subdivision is completed (whichever is greatest.)

11. As-builts

"As-Built" drawings shall be submitted to the City Engineer prior to street acceptance. These shall include all information contained on the approved construction drawings in the "As-Built" state, including, but not limited, to the following:

- a. Drainage system pipes and channels.
- b. Storm water detention/retention and water quality facilities with full design specifications.
- c. Streets, including street centerlines showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature with basis of curve data.
- d. Other utilities as required by the utility provider of record.

All "as-built" drawings shall be submitted in both hard copy and digital format and be on the state plane coordinate system, USA, GA, NAD 83, West. The digital copy shall be ~~in AutoCAD file format (dwg), version 2004 with a layer management guide included that describes the layer naming and layer states used in the drawing file.~~ in a format acceptable to the City of Newnan.

12. Acceptance of Streets and Infrastructure

Upon approval of the final plat, the Planning Director shall place the plat on the next available City Council meeting for acceptance of the streets and related infrastructure. The final plat will be presented to City Council only after field inspections have verified satisfactory completion of the necessary infrastructure. Upon acceptance of the streets and infrastructure, building permits may be obtained but maintenance of the streets and infrastructure remains the responsibility of the developer until satisfactory completion of the maintenance period.

Section 11. Minimum Requirements and Design Standards.

1. Suitability of Land

Land subject to flooding, improper drainage, rock formations, problem soils or erosion that is, for topographical or other reasons unsuitable for residential use, shall not be platted for residential use nor for any other use that will continue or increase the danger to health, safety, or property, unless the hazards can and are corrected. Additional technical evaluations, plans and analysis for a proposed subdivision by a professional engineer specializing in geotechnical, soil, hydrology, and or structures may be required.

Floodplains – In accordance with the City's Floodplain Ordinance, an engineering study/plan must be submitted for all lands within any area of special flood hazard established in the City of Newnan's Floodplain Ordinance subsection 10-184. This plan shall be in accordance with criteria established in this section. This plan must be submitted with the stamp and signature of a professional engineer (PE) licensed in the state of Georgia, who will verify that all designs are consistent with requirements of subsection 10-184.

2. Access

- a. Access to every subdivision shall be provided over a publicly dedicated street unless otherwise provided by these regulations.
- b. All subdivisions shall be integrated into the existing fabric of the City to the greatest extent practicable by means of road, sidewalk, and other interconnections. Exceptions eligible for variances under the provisions of these regulations include hardships imposed by topography, conflicting land uses, and man-made barriers such as railroad right-of-way, airports, bridges, wetlands and flood plain, and the like.
- c. Subdivisions of up to twenty-five (25) lots may be limited to one (1) entrance where topography or other hardship limits additional access. All subdivisions in excess of twenty-five (25) lots must provide a minimum of two (2) entrances. The second entrance may be limited to emergency access only. Said entrance shall be designed to accommodate emergency vehicles with construction materials being approved by City staff. Subdivisions in excess of twenty-five (25) lots but divided into phases each less than twenty-five (25) lots shall provide such second entrance prior to acceptance of final plat for any phase which results in more than twenty- five (25) lots for the development overall.
- d. Where access to a proposed subdivision or to any lot therein from a street under a jurisdiction other than the City of Newnan, such as the Georgia Department of Transportation (GDOT), such access must meet all requirements of that agency and proof of approval by that agency must be provided by the applicant.

3. Conformance to Comprehensive Plan

- a. Required—All streets and other features of the Comprehensive Plan of the City shall be platted by the subdivider in the location and to the dimensions indicated on such plan.

- b. Reservations—When features of the Comprehensive Plan other than streets, such as schools or other public building sites, parks, or other land for public uses, are located in whole or in part in a land subdivision, such features shall be reserved by the subdivider for acquisition by the appropriate public agency.
- c. Land Not Required or Suitable—Whenever a plat proposes the dedication of land to public use that the Planning Commission finds not required or suitable for such public use, the Planning Commission shall refuse to approve the plat.

4. Large-Scale Developments

The requirements of these regulations may be modified in the case of a large scale community or neighborhood unit, such as a housing project which is not subdivided into customary lots, blocks and streets, if the development is approved by the Planning Commission and if deed covenants or other legal measures to assure the accomplishment and continuance of the plan are provided.

5. General Requirements for Streets

Street Improvement Standards - All streets whether abutting or internal, existing or new, to be publicly dedicated or to remain private, shall be designed and constructed to the standards of the City of Newnan, as set forth by Ordinance of the City of Newnan.

Standard Specifications, Generally - Streets shall be classified into a street hierarchy system and street design standards, design criteria and level of service shall be based on the functional classification of the facility. Traffic volumes, existing and projected, shall serve to further refine the design criteria for each functional classification.

All streets, public and private, shall be designed and constructed to the standards of the City of Newnan, as set forth by Ordinance of the City of Newnan, together with (and according to) the latest official set of Standard Details, as adopted and maintained on file for consultation and distribution by the Public Works Department of the City of Newnan.

Unless otherwise specially set forth in this code or the Standard and Details, all materials, methods of construction, and workmanship for the work covered in reference to street construction and storm drainage construction shall conform to the latest standard specifications of the Georgia Department of Transportation.

For design criteria not specifically addressed by Ordinance of the City of Newnan or the latest standard specifications of the Georgia Department of Transportation, reference shall be made to the latest edition of A Policy on Geometric Design of Highways and Streets, as published by the American Association of State Highway and Transportation Officials (AASHTO).

Streets serving residential subdivisions shall be arranged and designed incorporating traffic management and traffic calming methods in order to reduce traffic speeds, vehicle noise, visual impact and through volumes in residential neighborhoods.

Requirements for Existing Streets— When property proposed for development is to be accessed from an existing City street, the extension of existing street shall be continued at the same or greater width, but in no case less than the width required for the designated street classification of the existing street and shall meet the minimum standards for the designated street classification of the existing street.

Existing Streets Widened

When property proposed for development fronts on an existing City street, the developer shall cause to be constructed, at the developer's expense, improvements, including pavement, curb and gutter, drainage and traffic control devices, to the existing street, along the

property frontage, from the centerline of the existing street along the side of the street upon which the property abuts. Such improvements shall meet minimum standards for the designated street classification of the existing street.

Existing Substandard Streets

For development having access to a substandard street and said substandard street provides the primary means of access to the development, the substandard street shall be fully upgraded and the full width of the roadway along the entire property frontage, continuing to the nearest standard paved road along the route of primary access, shall be paved with asphaltic concrete.

For development having access to a substandard street and said substandard street provides other than primary means of access to the development, the substandard sheet shall be fully upgraded only along the entire property frontage

and shall be paved on the opposite side of the road from the development, with asphaltic concrete, for a width not less than twelve (12) feet from the centerline of the street.

- a. Requirements of Zoning—Streets shall meet all applicable requirements and conditions of zoning including proffers as long as such requirements and conditions meet generally acceptable safety and traffic movement standards according to the Institute for Traffic Engineers (ITE).
- b. Layout — The arrangement, character, extent, width, grade, and location of all streets shall consider their relation to existing and planned streets, topographical conditions, and appropriate relation to the proposed uses of the development to be served by such streets.
- c. Street Names—Street names shall require the approval of Planning Department and City Engineer, as well as 911 Emergency and the United States Post Office (USPS). Streets that are obviously in alignment with streets already existing and named shall be given the name of the existing street. ~~Names of new streets shall not duplicate or closely approximate those of existing streets.~~

Street name signs shall be installed at all intersections. Lettering on ground- mounted street name signs shall be six (6) inch upper-case letters. Lettering on ground-mounted street name signs for multi-lane streets with speed limits greater than forty (40) mph shall be eight (8) inch upper-case letters. Supplementary lettering to indicate the type of street may be in smaller lettering three (3) inches high. Street name signs shall have a white legend on a green background, unless approved otherwise by the City Engineer. Street name signs shall be posted on the same post with, and above, a stop or yield sign, as appropriate for the intersection, unless approved otherwise by the City Engineer.

- d. Street Jogs—Street jogs with centerline offsets less than one hundred twenty-five (125) feet shall not be permitted.
- e. Site Distance- Intersections shall be designed such that safe stopping sight distance shall be provided along intersection approach legs, and clear sight triangles shall be provided along intersection approach legs and across their included corners. The stopping sight distance and the distances of the legs of the clear sight triangles shall be dependent on the design speeds of the intersecting streets and the type of traffic control used at the intersection and shall be determined using current AASHTO methods. Intersection sight distance shall boundary of a subdivision or of a phase of a subdivision subject to the approval by the Planning Commission. A temporary turnaround shall be provided and land outside the normal right-of-way used for said turnaround shall revert to abutters at such time the street is continued. Curb and gutter shall not be required for a temporary Cul-de-sac. The radius dimension for roadway width for a temporary Cul-de-sac shall be of the same dimension as for a permanent Cul-de-sac, less the curb and gutter.

- g. Alleys—Alleys may be required at the rear of any lots used for mixed-use, commercial, or industrial developments. Alleys may be provided in residential developments as long as the subdivider provides evidence satisfactory to the Planning Commission of the need for alleys.
- h. Adjoining Property—Unless an adjoining property owner agrees in writing, no new street may be so located that the back-of-curb is within twenty (20) feet of the property of said adjoining owner; except that this requirement shall not apply where:
 - 1) Such placement alone would render property on the opposite side of the street from said adjoining owner too shallow to meet minimum requirements of these Regulations; or
 - 2) The remaining land is not wide enough to accommodate the required street or right-of-way.
- i. Traffic Control Devices - The selection of all appropriate traffic control devices and the design, application and installation of appropriate traffic control devices, including pavement marking, signing, and signaling devices, shall be according to the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD), as published by the Federal Highway Administration (FHWA). Unless approved by the City Engineer, the minimum size of regulatory and warning signs shall be as shown in the MUTCD for conventional roads.

All Street name and traffic control devices shall be installed by the developer at the developer's expense. Ornamental posts and frames may be used within developments, pending approval by the City Engineer, however all signs and signals must conform to the latest edition of the MUTCD with incorporated revisions, in relation to size, shape, color, materials and retro reflectivity requirements. The City will not maintain or provide material replacement or credit for replacement of non-standard and decorative posts, frames, and signs. If a decorative post and sign requires maintenance or replacement, the city will only provide the standard post and signage as a replacement option.
- j. Roundabouts: Roundabouts shall be designed and constructed with raised concrete splitter islands for deflection of approaching vehicles around the central island. Roundabouts shall be designed and constructed with a flare or widening of the approaches to allow for proper operation, and shall accommodate the design vehicle appropriate for the streets intersecting at the roundabout. When crosswalk markings are used within a roundabout, those markings shall be located a minimum of twenty five (25) feet upstream from the yield point of entry.
- k. Improvements along State and Federal Highways – For any development which abuts a State or Federal highway, improvements to the highway and the location and design of any street or driveway providing access from the highway shall comply with the current standards, regulations, and requirements of the Georgia Department of Transportation for Driveway and Encroachment Control. A copy of the approved Georgia DOT permit shall be provided to the City prior to issuance of any building permits.

6. Street Design Requirements

General Requirements for Streets

The three functional systems for urbanized areas are 1) a) urban principal arterials, b) minor arterial streets, 2) collector streets, and 3) local streets. The differences in the nature and intensity of development between rural and urban areas require these systems to have characteristics that are somewhat different from the correspondingly named rural classifications.

a. ARTERIALS

- 1) Urban principal arterial system-- serve the major centers of activity of a metropolitan area, the highest traffic volume corridors, and the longest trip desires; and should carry a

high proportion of the total urban area travel on a minimum of mileage. The system should be integrated, both internally and between major rural connections.

Because of the nature of the travel served by the principal arterial system, almost all fully and partially controlled access facilities will be part of this functional system. In order to preserve the identification of controlled access facilities, the principal arterial system is stratified as follows:

(a) Interstate Principal Arterial- those routes presently designated by the USDOT as part of the Interstate System.

(b) Urban Freeway and Expressway – limited-access urban arterials not on the Interstate System.

(c) Urban Principal Arterial- uncontrolled or partial controlled access.

2) Urban minor arterial street system-- The minor arterial street system should interconnect with and augment the urban principal arterial system but provide service at a lower level of mobility than urban principal arterials.

Urban Minor Arterial Street- provide service to trips of moderate length within an urban area, and this system should distribute travel to geographic areas smaller than those identified with the higher system. Such facilities may carry local bus routes and provide intra-community continuity but ideally should not penetrate identifiable neighborhoods. This system should include urban connections to rural collector roads where such connections have not been classified as urban principal arterials.

The spacing of minor arterial streets may vary from 1/8 - 1/2 mile in the central business district to 2 - 3 miles in the suburban fringes, but should normally be not more than 1 mile in fully developed areas.

b. COLLECTORS

Urban collector street system- The collector street system provides land access service and traffic circulation within residential neighborhoods, commercial and industrial areas.

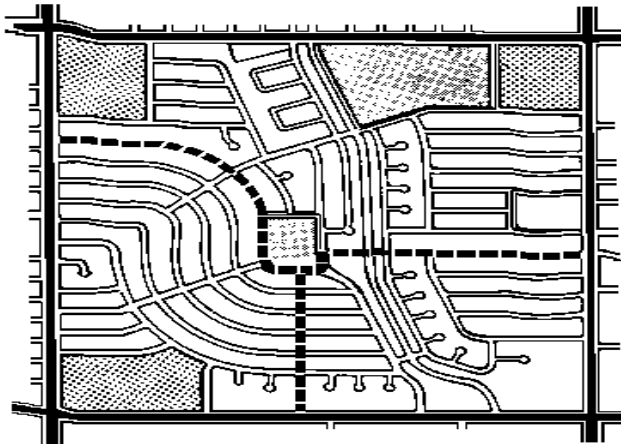
Urban Collector Street- collects traffic from local streets in residential neighborhoods and channels it into the arterial system. In the central business district, and in other areas of like development and traffic density, the collector system may include the street grid which forms a logical entity for traffic circulation.

c. LOCAL ROADS

Urban local street system- The local street system comprises all facilities not on one of the higher systems

Urban Local Road-- serves primarily to provide direct access to abutting property and access to the higher order systems. It offers the lowest level of mobility and usually contains no bus routes. Service to through-traffic movement usually is deliberately discouraged. Urban local roads constitute the urban public road mileage not classified as part of the principal arterial, minor arterial, or collector systems inside of urban areas.

Figure II-3
Schematic of a Portion
of an
Urban Street Network



Legend

 Arterial street	 Collector street
 Commercial	 Public

Minimum Street Right-	
Street Classification	Right-of-Way (feet)
Principal Arterial	100
Minor Arterial	80
Principal Collector	80
Minor Collector	60
Local Residential	50
Local Residential Cul-de-Sac	50 Radius
Local Non-Residential	60
Local Non-Residential Cul-de-sac	60 Radius

For any street proposed with a median, the minimum right-of-way increases in proportion to the median width.

d. Cross Sectional Elements –

Lane width: To provide a minimum level of service, the typical lane width shall be twelve (12) feet. For local streets with two lanes of traffic, the minimum lane width

may be reduced to eleven (11) feet when incorporating traffic calming methods, subject to the approval of the City Engineer.

For single lane, one-way local streets, in order to provide a ten (10) foot lane for moving traffic and eight (8) feet for parking, the minimum roadway width shall be twenty-two (22) feet, back of curb to back of curb.

Cross Slope: The cross slope for lanes on a normal crown section shall be one quarter (1/4) inch per foot sloped towards the outer edge of pavement. The cross slope shall be adjusted where superelevation requirements are incorporated into the design for transitions from/to normal crown at each end of horizontal curves, in accordance with the design standards of the Georgia Department of Transportation.

Street Grades, Horizontal Alignment, Tangent Sections, and Vertical Alignment – Design criteria for street grades, horizontal alignment, tangent sections, and vertical alignment shall be in accordance with the design standards of the Georgia Department of Transportation and for design criteria not specifically addressed by Ordinance of the City of Newnan or the latest standard specifications of the Georgia Department of Transportation, reference shall be made to the latest edition of A Policy on Geometric Design of Highways and Streets, as published by the American Association of State Highway and Transportation Officials (AASHTO).

d. **Turning Lanes, Deceleration Lanes and Acceleration Lanes**

Turning lanes, deceleration lanes and acceleration lanes shall be provided to meet projected traffic demands or as the need may be identified from a traffic study, or as determined by the City Engineer. The minimum length and width of such lanes shall be in accordance with the design standards of the Georgia Department of Transportation.

e. **Street Intersections**— Street intersections shall be as nearly at right angles as possible. No street intersection shall be at an angle of less than eighty (80) degrees, unless approved by the City Engineer

Curb Line Radii - The curb line radius at all intersections shall be at least fifteen (15) feet. Where the angle of intersection is less than ninety (90) degrees, a longer radius may be required. For streets with heavy traffic volumes, the curb line radius may be extended to between fifteen (15) feet and twenty five (25) feet for passenger vehicles and between thirty (30) feet and fifty (50) feet for trucks, provided there are no significant pedestrian conflicts. The effective turning radius for the design vehicle appropriate for the intersection being designed shall be considered. Also the designer shall consider the smallest radius that will accommodate vehicular traffic while avoiding narrowing sidewalks at corners and increasing the length of pedestrian crosswalks.

f. **Median Widths**— The minimum width for medians providing separation of opposing directions of the traveled way shall be twenty (20) feet, measured between the edges of traveled way, including left shoulders, if any, or as may be designated in the Comprehensive Plan for the City of Newnan, or as approved by the City Engineer.

Medians which may provide a refuge area for pedestrian crossings shall be convex or raised medians and shall incorporate standard curb and gutter. The pedestrian crossing through the median shall meet all current requirements of the Georgia Department of Transportation for safety and accessibility.

7. Block Requirements

Block lengths and widths shall be as follows:

- a. Length—Primarily non-residential blocks including MXD, PDC, PDO, and PDI shall be not greater than thirteen hundred (1300) feet nor less than six hundred (600) feet in length; Residential blocks shall not be greater than eight hundred (800) feet in length nor less than two hundred (200) feet in length; Primarily residential blocks in PD, MXD, and OS districts shall not be greater than five hundred (500) feet in length nor less than two hundred (200) feet in length.
- b. Width—Blocks shall be wide enough to provide two (2) tiers of lots of minimum depth, except where fronting on major streets, limited access highways or railroads, or where other situations make this requirement impracticable.
- c. Connections--Roads shall connect to form complete blocks wherever practicable. This requirement is subject to a variance where the topography or other physical limiting factor may be present.

8. Lot Requirements

a. Conventional Lots

- 1). Lot, Flag – No flag lots may be hereinafter platted in the City of Newnan. Any flag lot existing at the time of adoption of this Ordinance shall not be further subdivided, unless the new lots created conform to City Ordinance.
- 2). Lot Size—Lot size for residential and for non-residential lots shall be as required by the Zoning Ordinance.
- 3). Lot Lines—All lot lines shall be perpendicular or radial to street lines. Dimensions of corner lots shall be large enough to allow for the additional side yard width adjoining the street (unless a variation from this rule will give a better street or lot plan).
- 4). Lots Abutting Public Streets—Each lot shall abut upon a dedicated public street unless otherwise provided by these regulations.
- 5). Lot Depth — Excessive depth in relation to width is to be avoided, with a ratio of 3:1 considered as the desirable maximum and a ratio of 5:1 being the definite maximum. Lots shall only exceed the desirable maximum of 3:1 when the area used to create the additional depth would not otherwise be better suited as common open space and would not create a conflicting situation with adjoining land uses; or topographical conditions on the lot warrant additional depth for building purposes. (10/24/2000)

b. Townhouse or Attached-Dwelling Lots

- 1) Lot Size—The lot size for each dwelling unit shall be as required by the Zoning Ordinance.
- 2) Lot Lines—Lot lines between attached dwelling units shall be extended in a straight line, perpendicular to the front face of the building, to the intersecting street right-of-way line. These lot lines shall also be perpendicular to street lines or, where the street line is curved, shall be as nearly radial to the street line as possible. Other lot lines shall be

perpendicular to building walls for a distance of at least ten (10) feet from said walls but thereafter may be angled as necessary and prudent.

- 3) Lots Abutting Public Streets—Each lot shall abut upon a dedicated public street.
- 4) Common Areas—Parking lots, driveways, alleys, and other areas which must be used by several lot-owners and any additional areas not included in individual lots shall be owned in common by said lot-owners, and such areas shall be maintained by the tenants-in-common as directed by required covenants.

c. Re-Subdivision After Sale of Lots

Re-subdivision to reduce lot size in all or part of a subdivision shall not be permitted where such an increase in density would adversely affect lots already sold; nor shall lot size in later phases of a subdivision be less than in previous phases, where such an increase in density would adversely affect lots already sold in previous phases.

9. Development Along a Major Arterial Street/Principal Arterial Street

Where a subdivision abuts or contains a major arterial or principal arterial street, the Planning Commission may require that access to such street be limited by one of the following means:

- a. The subdivision of lots so as to back onto the major arterial or principal arterial street and front onto a parallel local street; no access being provided from the major arterial or principal arterial street, and screening being provided in a strip of land along the rear property line of such lots.
- b. A series of cul-de-sacs, u-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the major arterial or principal arterial street.
- c. A marginal access or service road, separated from the major arterial or principal arterial street by a planting strip and having access thereto at suitable points.
- d. Where a minor street intersects the major arterial or principal arterial street, corner lots of such dimensions that the front of the lot will be on the minor street.

10. Reserve Strips

Reserve strips controlling access to streets, alleys, and public grounds shall not be permitted unless their control is placed in the hands of the City Council, under conditions approved by the Planning Commission.

11. Easements

- a. Utility Lines—Easements having a minimum width of ten (10) feet and located along the side or rear lot lines shall be provided as required for utility lines.
- b. Drainage—Where a subdivision is traversed by a sanitary sewer or piped storm sewer, there shall be provided a public maintenance easement of not less than 20 feet in width, centered along the centerline of the pipe and extending 10 feet beyond the end of the pipe. Wider easements may be required as needed for larger diameter pipes, as determined by the City Engineer.

- c. Public Service Access—In townhouse and attached-dwelling subdivisions, easements contiguous with common areas and such other easements as are determined to be necessary by the City shall be provided to assure access to each lot for provision of public services and other services provided by franchise from the City.

12. Improvements Required

- a. Required—Every subdivider shall be required to install or to have installed by the appropriate agency at his expense the following street improvements and utilities, which shall be designed and submitted to the City as part of the engineering plan:
- 1) Provide street grading, curbs and gutters, and street paving.
 - 2) Provide water lines and fire hydrants, sanitary sewer lines and manholes.
 - 3) Provide pedestrian facilities including sidewalks and accessible routes for persons with disabilities.
 - 4) Provide system(s) for stormwater drainage including street and roadway gutters, inlets and storm drain pipe systems, culverts, vegetated and lined open channels and energy dissipation devices for outlet protection.
 - 5) On townhouse and attached-dwelling lots, provide for underground service for electric power, telephones, cable television and similar services. No overhead service shall be permitted.
 - 6) Provide street lighting on all streets whether to be publicly dedicated or to remain private. Street lights shall be installed within the public right-of-way or within an adequately sized utility easement, which shall be shown on the final subdivision plat. Street lights shall be installed at all street intersections and Cul-de-sacs and shall meet the spacing requirements as listed in the table below.

Street Light Spacing	High Pressure Sodium Bulb Wattage	Fixture Height
150'-180'	100 Watt	16'
200'-250'	175 Watt	16'
300'-400'	400 Watt	25'

Street lights shall be installed and operational prior to street acceptance by the City Council or the developer must provide proof of payment from the utility company or record covering installation costs. Upon street acceptance by the City Council, the operation of street lights shall be paid for by the City.

- b. Standards—The foregoing street improvements, utilities and monuments shall be built to the standards specified by the agency responsible for each.

13. Monuments

The subdivider shall place permanent reference monuments in the subdivision as required herein and as approved by a registered land surveyor. Except as noted below, monuments shall be of stone or concrete, not less than thirty (30) inches in length, not less than four (4) inches square or five (5) inches in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods (5/8 inch

diameter minimum) or iron pipes (1 inch diameter minimum) at least thirty (30) inches long. Monuments shall be set flush with the ground and planted in such a manner that they will not be removed by frost. Monuments shall be properly set in the ground and approved by a registered land surveyor prior to the time the Planning Commission recommends approval of the final plat.

- a. Street Right-of-Ways—Monuments shall be located on street right-of-way lines at street intersections and at each end of all curves. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the street limits.
- b. External Boundaries—The external boundaries of a subdivision shall be monumented. These monuments shall be placed at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line, and at all angle points along the meander line, said points to be not less than twenty (20) feet back from the bank of any stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.
- c. Internal Boundaries—All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by iron pipes at least one (1) inch in diameter or by iron bars at least five-eighths (5/8) inches in diameter. These monuments shall be placed at all lot corners, at each end of all curves, at a point where a curve changes its radius, and at all angle points in any line.
- d. Lines Extending to Streams—The lines of lots that extend to streams shall be monumented in the field by iron pipes at least one (1) inch in diameter or by iron bars at least five-eighths (5/8) inches in diameter. These monuments shall be placed at the point of intersection of the stream lot line, with a meander line established not less than twenty (20) feet back from the bank or the stream.

14. Private Streets

Construction of private streets shall not be allowed unless the City Council approves such proposal following review and recommendation by the Newnan Planning Commission and finds the following conditions and criteria have been satisfied:

Street name signs shall be provided by the developer at the intersections of public streets with private streets. All traffic control devices shall be selected, designed, and installed, according to the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD), as published by the Federal Highway Administration (FHWA) and shall include pavement marking, signing, and signaling devices. Unless approved by the City Engineer, the minimum size of regulatory and warning signs shall be as shown in the MUTCD for conventional roads. The maintenance of all traffic control devices on private streets shall be included in the maintenance agreement.

- a. The use of private streets is appropriate only when their use will, with innovative site design, provide more usable open space, better recreational opportunities or safer and more attractive neighborhoods and developments than would be permitted under standard zoning and development techniques.
- b. The use of private streets shall not be used as a refuge from standard zoning and other development techniques in order to obtain higher overall densities.

- c. In order for the streets to be classified as private, the street or street system must be entirely self-contained within a particular planned subdivision, cluster or development.
- d. Private streets are only appropriate when their use shall not restrict or unreasonably reroute the extension of existing or proposed collector and local streets.
- e. The street cannot function as a private street if its alignment will encourage "short cutting" or "detouring" from one public street another.
- f. The street cannot function as private if it is designed or planned by either the developer or the City to handle traffic from one subdivision, cluster or development through another subdivision, cluster or development.
- g. Private streets shall only be considered for developments of twenty-five (25) lots or less.
- h. All residential units must be located within 1,000 feet of a publicly dedicated street.
- i. No streets will be classified until the applicants can submit proof of future maintenance obligation and guarantee by private funds. In this regard, the applicants shall submit in their proposal a document to be filed with the Superior Court Clerk of Coweta County, Georgia notifying the prospective land purchasers of the private streets. Said documents shall run with the land as to title of the property and provide for future levies, assessments and/or dues from the landowners in order to pay for private streets maintenance and repair.
- j. All private street construction requirements shall be complete prior to final plat approval. Bonds or escrows for future construction of private streets will not be allowed.
- k. A statement is required on the face of any plat containing a private street with the following language: "The City of Newnan has no responsibility to improve or maintain the private streets contained within or private streets providing access to the property described in this plat."
- l. Street signs shall be provided by the developer at the intersections of both the public and private streets. Street signs shall meet city specifications and be included in the maintenance agreement.
- m. All private streets shall be constructed in accordance with the public street specifications of Section 11(5), Section 11(6) with the exception of the requirements of Section 11(6)(b) and Section 11(6)(e) thru (g).
- n. All private streets shall install sidewalks in accordance with the City Sidewalk Ordinance.
- o. All front setbacks shall be measured from the centerline of the private street.
- p. All developments that contain private streets shall provide the following easements:
 - 1) Access Easements – An access easement preserving the perpetual right of ingress and egress shall be provided along the street from back of sidewalk to back of sidewalk.

- 2) Utility Easements – Utility easements for installation and maintenance of water, sewer, electric, telecom and cable services preserving the perpetual right of entry shall be provided and reserved on the plat of survey for use by all utility companies.
- q. No private street will be accepted into the City street system unless said street meets the minimum design standards, including right-of-way as specified in the Subdivision Regulations.
- r. No private street shall be gated to prohibit access to said street.
- s. Street lights shall be installed by the developer in accordance with the City's street light regulations. Street lights shall be owned and maintained by the property owners and shall be subject to the same conditions set forth in the document referenced in paragraph (i) hereinabove.

Section 12. Driveway Access.

1. Sight distance

No driveway shall be permitted to enter a public street at a point where sight distance is inadequate, as determined by the City Engineer. Sight distance requirements as described for intersection (see Section 11 above) shall apply to driveways.

2. Driveway design

- a. Width. Width of a driveway intersecting a public street shall not exceed the following:
 - 1) Residential use, one or two dwelling units: Eighteen (18) feet.
 - 2) Other residential uses: Sixteen (16) feet for a one-way drive and thirty (30) feet for a two-way drive.
 - 3) Non-residential uses: Sixteen (16) feet for a one-way drive, thirty (30) feet for a two-way drive (except thirty-five feet for a service station), and forty (40) feet for a joint driveway.
- b. Length. Minimum length of a driveway is nineteen (19) feet as measured from the building line of the structure to the public right-of-way line and/or to the edge of private street or alley pavement.
- c. At the intersection of a driveway with the curb line of a public street, a minimum curb-line radius shall be formed on each side as per Section 11, sub-section 6. 3 (c) above.
- d. Angle. The angle of a driveway shall be such that no vehicle will have to make deflection of greater than 90 degrees when entering or leaving the property, but in no case shall the angle be less than 45 degrees.
- e. Tie-in type. A street-intersection type tie-in shall be provided wherever ditch drainage is used and where otherwise made necessary by the level of driveway traffic. A concrete valley gutter tie-in shall be provided to a street with curb and gutter and piped storm drainage. If a street-intersection type tie-in is preferred by the property owner, catch basins must be provided to channel gutter flow into the

storm drainage system.

- f. **Grade.** On streets with ditch drainage along the street and a street-intersection type tie-in, the driveway shall slope downward and away from the road surface at a rate not less than one-half inch in one foot out to the ditchline. Driveway grade for a concrete valley gutter tie-in shall conform to standards of the City.
- g. **Drainage.** Curb inlets shall be designed for a 10-year storm. Driveway pipes shall be designed for a 25-year storm unless a larger pipe is emptying into the ditch that leads to the driveway pipe. Pipes 48 inches in diameter and larger shall have an inlet and outlet headwall. Pipes smaller than 48 inches shall have at least a flared end section. All structures and materials shall meet City standards.
- h. **Adjacent slope.** No new slope to be placed on the right-of-way shall be steeper than 4:1 (horizontal: vertical) sloping from the street or 2:1 sloping from the driveway.

3. Curb Cuts

- a. **Length.** The length of a curb cut shall be the sum of driveway width plus the radius on each side.
- b. **Separation, two-way driveways.** Distance between two-way driveways (not including radii), for driveways on the same lot and on the same street frontage, shall be at least 100 feet (except that for a service station or convenience store which includes gasoline sales and has at least 150 feet of frontage, the minimum distance shall be fifty feet). Lots not wide enough to meet this and related driveway placement requirements may have only a single two-way driveway.
- c. **Separation, one-way driveways.** Where one-way driveways are used, the exit from the property shall be downstream - in the direction of traffic flow - from the entrance. Distance between driveways (not including radii) on the same lot and on the same street frontage shall be at least fifty (50) feet on collector streets and eighty (80) feet on arterial streets.
- d. **Number of driveways.** On a collector or and arterial street, no lot with less than 300 feet of frontage shall have more than one two-way driveway or two one-way driveways (except that a service station or convenience store which includes gasoline sales and has at least 150 feet of frontage may have two two-way driveways); no lot with less than 1000 feet of frontage shall have more than two two-way driveways; and a lot with frontage of 1000 feet or more may have driveways as determined on a case-by-case basis by the City Engineer.
- e. **Distance from property lines.** No curb cut may extend across an extended property line, except a curb cut for a joint driveway; and no curb cut shall be within four (4) feet of an extended property line or within two (2) feet of a property line within lots that have frontage on a cul-de-sac.
- f. **Distance from intersections.** On a local street, no driveway shall be permitted within fifty (50) feet of an intersection with another street. On a collector street, no driveway shall be permitted within ninety (90) feet of an intersection with another street. On an arterial street, no driveway shall be permitted within 120 feet downstream or ninety (90) feet upstream of an intersection with another street. At signalized intersections on collector or arterial streets, respective distances shall be increased by 100 feet. Exceptions may be granted where the City Engineer determines that (1) there is no reasonable alternative and (2) traffic capacity and safety would not be significantly affected.

- g. Subdivision of arterial street frontage. On an arterial street, where a tract of land is subdivided after the adoption of this provision such that a lot with less than 150 feet of frontage is created, access to such lot shall be from either:
 - 1) A driveway serving the remainder of the tract from which the lot was cut,
 - 2) A joint driveway,
 - 3) A frontage road, or
 - 4) if a corner or double-frontage lot, an adjacent non-arterial street.
- h. General location criteria. Unless substantially constrained by topography or the needs of internal traffic circulation of the property, driveways shall be located so as to maximize distance between driveways along the street section, maximize the length of deceleration lanes, and minimize conflict with other features of the street section.
- i. Traffic channeling structures. No median, island, or other traffic channeling structure may be installed in a driveway entrance without approval of the City Engineer. Upon approval, the permitted length of the curb cut may be increased to accommodate such structures.
- j. Pull-off parking. Limitations on length of curb cut shall not apply to pull-off parking where such parking is otherwise permitted.

4. Curb and gutter

- a. Required. Where there is existing curb and gutter on the public street, curb and gutter shall be constructed for a driveway entrance. Where there is no curb and gutter on the public street, it shall be constructed for a driveway entrance where one of the following conditions occurs:
 - 1) A new non-residential use of multi-family (three or more dwelling units) or other residential use utilizing a common driveway entrance for three (3) or more dwelling units is established on previously vacant land.
 - 2) A non-residential use is established on land previously in residential use.
 - 3) The number of dwelling units on a lot is increased to three (3) or more.
 - 4) Changes to developed property, such as the piping and covering of ditches, result in uncontrolled access to the public street.
- b. Length. Where curb and gutter is required by the above conditions, the length of curb and gutter to be constructed shall be determined as follows:
 - 1) Curb and gutter shall be used to construct the radii where the driveway intersects the public street and, for street-intersection type tie-ins, shall extend along the driveway to the right-of-way line.
 - 2) Except where tapers for acceleration or deceleration lanes are present, curb and gutter shall be extended by the property owner at least twenty (20) feet in each direction

along the public street from the end of each radius section (except that no property owner shall be required to extend curb and gutter along the street beyond an extended property line).

- 3) Where changes to developed property result in uncontrolled access to the public street, curb and gutter shall be provided along the entire frontage of the property.
 - c. Distance from centerline-All Streets Excluding Local Residential. Distance from the centerline of the public street to the edge of the curb and gutter shall be adequate for provision of 12-foot travel lanes, including future lanes indicated on official maps or ordinances of the City. Where a left-turn lane to serve both sides of the street will be necessary and the City has adopted plans to construct such lane, an additional six (6) feet of lane width shall be provided by the property owner. Where a median with a left-turn lane will be necessary to serve a particular development, an additional sixteen (16) feet of lane width shall be provided by the property owner.
 - d. Distance from centerline- Local Residential Streets. Distance from the centerline of the public street to the edge of the curb and gutter shall be adequate for provision of 11-foot travel lanes, including future lanes indicated on official maps or ordinances of the City.
 - e. Right-of-way dedication. Any additional right-of-way necessary for construction of curb and gutter and the accommodation of utilities shall be dedicated to the City by the property owner.
 - f. Storm drainage. Storm drainage from curb and gutter sections constructed by a property owner shall be discharged at locations and through structures approved by the City Engineer.
5. Acceleration and Deceleration Lanes
- a. Required. At the driveways providing access to a non-residential use or a multi-family (three (3) or more dwelling units) or other residential use utilizing a common driveway entrance for three (3) or more dwelling units on an arterial street, acceleration and deceleration lanes shall be constructed by the property owner in conjunction with the curb and gutter required above, and the length of curb and gutter shall be increased to the full length of such lanes. An acceleration lane shall not generally be required, but the driveway radius shall turn out as though a lane were to be provided and a taper shall be constructed. An acceleration lane shall be required where (a) the owner's property extends to an intersection with a collector or arterial street within 150 feet of the driveway in the direction of traffic flow, or (b) the required taper will merge with the taper of an existing deceleration lane or is within twenty (20) feet of merging.
 - b. Length. Each such lane shall be 150 feet in length, with an additional tapered transition section 50 feet in length. Lane pavement width shall be 12 feet. Where the taper of a new deceleration lane will merge with the taper of an existing driveway or is within twenty (20) feet of merging, the deceleration lane shall be extended to that driveway.
 - c. Property lines. Where a lane or taper would merge with a lane or taper provided for adjoining property or would encroach on the corner radius of a street intersection, an altered design may be approved by the City Engineer. Where a

lane or taper would extend across an extended property line, such lane or taper shall be constructed if there is adequate right-of-way in front of the adjoining property.

- d. Right-of-way dedication. Any additional right-of-way necessary for construction of a lane and the abutting curb and gutter and the accommodation of utilities shall be dedicated to the City by the property owner.
- e. Exceptions. The following land uses are exempted from the requirement for acceleration/deceleration lanes:
 - 1) Warehouse use with less than 10,000 sq. ft. of building area.
 - 2) Manufacturing use with less than 13,000 sq. ft. of building area.
 - 3) Other light industrial use with less than 7,000 sq. ft. of building area.
 - 4) Other heavy industrial use with less than 33,000 sq. ft. of building area.
 - 5) Apartment development with fewer than nine (9) dwelling units.
 - 6) Nursing home with fewer than nineteen (19) beds.
 - 7) Medical office use with less than 1,000 sq. ft. of building area.
 - 8) General office use with less than 3,000 sq. ft. of building area.
 - 9) Office park (mixed office uses) with less than 2,000 sq. ft. of building area.

A mixture of the above uses will require a case-by-case determination of traffic generation by the City Engineer. Acceleration/deceleration lanes shall be required when sufficient additional development occurs on property previously exempted from the requirement.

6. Left-Turn Restrictions

On arterial streets, left turns shall be prohibited to and/or from driveways by the construction of approved channeling structures under the following conditions:

- a. Inadequate corner clearance.
- b. Inadequate sight distance.
- c. Inadequate driveway spacing.
- d. Site has a signalized driveway on the same arterial at which left turns can be made.
- e. Other capacity, delay, or safety conditions make specific left turns dangerous.

7. Paving

Driveways shall be paved to the right-of-way line. Acceleration and deceleration lanes and gaps between existing pavement and new curb and gutter shall also be paved. Pavement structure shall at least match that of the adjoining existing pavement and shall not be less than specified in writing or drawings by the City Engineer. Materials and construction methods shall meet City standards.

8. Administrative Standards

The City Engineer may establish standards (in writing or in drawings) for structures and approve driveway access designs permitted by these regulations but not specified herein; and establish such additional standards (in writing or in drawings) as are necessary to clarify these regulations and assure traffic safety and protection of traffic capacity on the public streets.

Section 13. Standard Development Details.

The City of Newnan will maintain on file for consultation and distribution a series of standard drawings and details illustrating standard design and details of construction of streets and roadways, including drainage facilities for land development.

The standard drawings and details illustrate minimum acceptable standards for design and construction associated with land development activities for streets, drainage facilities and other infrastructure improvements. These minimum standards shall not supersede more restrictive prudent design requirements or good engineering practice as applied to specific situations.

Unless otherwise specially set forth in this code or the Design and Construction Standards and Details, all the materials, methods of construction, and workmanship for the work covered in reference to street construction and storm drainage construction shall conform to the latest standard specifications of the Georgia Department of Transportation.

For design criteria not specifically addressed by Ordinance of the City of Newnan or the latest standard specifications of the Georgia Department of Transportation, reference shall be made to the latest edition of the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets".



City of Newnan, Georgia - Mayor and Council

Date: May 12, 2020

Agenda Item: Ordinance to Amend 2019 Budget

Prepared By: Katrina Cline, Finance Director

Purpose: To obtain Council approval of the 2019 budget amendments.

Background: This budget amendment, a requirement of GASB, will not change actual expenditures or revenues for 2019. It is to ensure that all appropriations for the year have been approved by Council, regardless of the funding source. Amendments requested by fund are outlined in the list attached.

Funding: Revenues collected by fund.

Recommendation: N/A.

Previous Discussion with Council: N/A.



City of Newnan - - 2019 Budget Amendments

Account	Account Description	Adopted Budget	YTD Transactions	Budget - YTD Transactions	2019 Budget Amendment	Comments
Fund 100 - General Fund						
Revenue 00 - Revenue						
31.1100	Property Taxes	\$ 5,460,000	\$ 5,753,450	\$ (293,450)	\$ 295,000	Revenues higher than anticipated
31.3100	Local Option Sales Tax	\$ 7,000,000	\$ 7,940,851	\$ (940,851)	\$ 505,000	Revenues higher than anticipated
31.6200	Insurance Premiums Tax	\$ 2,200,000	\$ 2,504,681	\$ (304,681)	\$ 74,080	Revenues higher than anticipated
REVENUE TOTALS		\$ 14,660,000	\$ 16,198,981	\$ (1,538,981)	\$ 874,080	
EXPENSE						
Function / Activity 1320 - City Manager						
Department 11 - City Manager						
51.1100	Wages - Full Time Employees	\$ 518,268	\$ 546,625	\$ (28,357)	\$ 28,400	Winn's retirement/overlap hours training
51.2100	Employee Ins (Life/Health/Dent)	\$ 66,493	\$ 76,736	\$ (10,243)	\$ 10,250	Changes in employee coverages
52.1200	Professional Services	\$ 10,000	\$ 73,281	\$ (63,281)	\$ 50,000	Investment, banking services, stadium analysis
52.1201	Public Relations	\$ 4,050	\$ 8,722	\$ (4,672)	\$ 4,675	Citizen's Academy/See Click Fix Expenses
52.1300	Other Contractual Services	\$ 10,050	\$ 136,788	\$ (126,738)	\$ 100,000	Employee Wellness Program
53.1601	Computer Hardware & Software	\$ 5,000	\$ 5,946	\$ (946)	\$ 1,150	Computer for new employee
53.1706	Miscellaneous	\$ 100,000	\$ 123,701	\$ (23,701)	\$ 24,000	Newnan Grand Slam Stadium Feasibility Study
54.1100	Land Purchases	\$ -	\$ 218,105	\$ (218,105)	\$ 218,105	11 Farmer Commercial Park Dr Purchase
61.1540	Transfer to Sanitation Fund	\$ 140,000	\$ 200,000	\$ (60,000)	\$ 60,000	Funds reserved for downtown sanitation
Department 11 - City Manager Totals		\$ 853,861	\$ 1,389,905	\$ (536,044)	\$ 496,580	
Function / Activity 1530 - City Attorney						
Department 12 - City Attorney						
52.1200	Professional Services	\$ 80,000	\$ 107,084	\$ (27,084)	\$ 20,000	Higher than anticipated expenses
Department 12 - City Attorney Totals		\$ 80,000	\$ 107,084	\$ (27,084)	\$ 20,000	
Function / Activity 1575 - City Engineer						
Department 22 - City Engineer						
52.1200	Professional Services	\$ -	\$ 57,505	\$ (57,505)	\$ 45,000	Pavement data collection & signal services
Department 22 - City Engineer Totals		\$ -	\$ 57,505	\$ (57,505)	\$ 45,000	
Function / Activity 4100 - Public Works						
Department 67 - Public Works						
51.1100	Wages - Full Time Employees	\$ 203,301	\$ 211,814	\$ (8,513)	\$ 2,050	Wages higher than anticipated
Department 67 - Public Works Totals		\$ 203,301	\$ 211,814	\$ (8,513)	\$ 2,050	
Function / Activity 6200 - Parks & ROW Beautification						
Department 61 - Beautification						
54.1215	Parks & Recreation	\$ -	\$ 319,475	\$ (319,475)	\$ 221,000	Sprayberry Road Park Expenses
Department 61 - Beautification Totals		\$ -	\$ 319,475	\$ (319,475)	\$ 221,000	
Function / Activity 6500 - Carnegie Building						
Department 90 - Library						
51.1100	Wages - Full Time Employees	\$ 89,032	\$ 94,603	\$ (5,571)	\$ 5,200	Wages higher than anticipated
Department 90 - Library Totals		\$ 89,032	\$ 94,603	\$ (5,571)	\$ 5,200	
Department 82 - Keep Newnan Beautiful						
52.3600	Dues and Fees	\$ 700	\$ 953	\$ (253)	\$ 250	Keep Georgia Beautiful Affiliate Conference
53.1100	Materials and Supplies	\$ 4,500	\$ 46,151	\$ (41,651)	\$ 42,000	KNB expenses for 2019
53.1708	Other Boards & Commissions	\$ -	\$ 64,991	\$ (41,298)	\$ 42,000	Christmas lights/parade/decorations
Department 82 - Keep Newnan Beautiful Totals		\$ 5,200	\$ 112,095	\$ (83,202)	\$ 84,250	
EXPENSE TOTALS		\$ 1,231,394	\$ 2,292,480	\$ (1,037,393)	\$ 874,080	
Fund 240 - Misc Grants/Donations F						
REVENUE						
37.0000	Contribution/Donations (Private)	\$ -	\$ 91,734	\$ (91,734)	\$ 75,455	Revenues higher than anticipated
REVENUE TOTALS		\$ -	\$ 91,734	\$ (91,734)	\$ 75,455	

Account	Account Description	Adopted Budget	YTD Transactions	Budget - YTD Transactions	2019 Budget Amendment	Comments
EXPENSE						
Function / Activity 1540 - Human Resources						
Department 20 - Human Resources						
51.2900A	Non-Taxable Employee Benefits	\$ -	\$ 3,070	\$ (3,070)	\$ 3,070	Expensed donated funds/grants
Department 20 - Human Resources Totals		\$ -	\$ 3,070	\$ (3,070)	\$ 3,070	
Function / Activity 3200 - Police						
Department 40 - Police Department						
52.1201	Public Relations	\$ 18,000	\$ 34,538	\$ (16,538)	\$ 16,600	Expensed donated funds/grants
52.1300	Other Contractual Services	\$ -	\$ 18,792	\$ (18,792)	\$ 19,000	Expensed donated funds/grants
Department 40 - Police Department Totals		\$ 18,000	\$ 53,330	\$ (35,330)	\$ 35,600	
Function / Activity 6220 - Parks						
Department 61 - Beautification						
53.1705	Landscaping Supplies	\$ -	\$ 15,600	\$ (15,600)	\$ 15,600	Expensed donated funds/grants
Department 61 - Beautification Totals		\$ -	\$ 15,600	\$ (15,600)	\$ 15,600	
Function / Activity 6500 - Carnegie Building						
Department 90 - Library						
53.1600	Minor Equipment	\$ -	\$ 21,185	\$ (21,185)	\$ 21,185	Expensed donated funds/grants
Department 90 - Library Totals		\$ -	\$ 21,185	\$ (21,185)	\$ 21,185	
EXPENSE TOTALS		\$ 18,000	\$ 93,185	\$ (75,185)	\$ 75,455	

Fund 280 - Rental Mtr Vehicle Excise Taxes

REVENUE						
31.4400	Motor Vehicle Rental Excise Tax	\$ 94,000	\$ 103,808	\$ (9,808)	\$ 9,000	Revenues higher than anticipated
36.1000	Interest on Bank/Pool Accts	\$ 800	\$ 1,290	\$ (490)	\$ 150	Revenues higher than anticipated
REVENUE TOTALS		\$ 94,800	\$ 105,098	\$ (10,298)	\$ 9,150	

EXPENSE						
Function / Activity 7540 - Tourism						
Department 81 - Tourism						
52.1200	Professional Services	\$ -	\$ 3,355	\$ (3,355)	\$ 3,400	Attorney Fees for Convention Center Business
61.2001	Transfer to Newnan Convention Center	\$ 96,000	\$ 101,743	\$ (5,743)	\$ 5,750	Revenues higher than anticipated
Department 81 - Tourism Totals		\$ 96,000	\$ 105,098	\$ (9,098)	\$ 9,150	

AN ORDINANCE TO AMEND THE 2019 FISCAL YEAR BUDGET

BE IT ORDAINED, and it is hereby ordained, that the City Council has authorized an amendment to the 2019 Revenue and Expense Budgets as follows: General Fund amendments totaling \$874,080, Miscellaneous Grants/Donations Fund amendments totaling \$75,455 and Rental Motor Vehicle Fund amendments totaling \$9,150. Therefore, the 2019 Budget is hereby amended to include the additional appropriations discussed above, per the attached 2019 Budget Amendment Request listing.

ATTEST:

Della Hill, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

George M. Alexander, Mayor Pro-Tem

C. Bradford Sears, Jr., City Attorney

Cynthia E. Jenkins, Councilmember

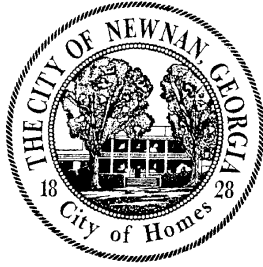
Cleatus Phillips, City Manager

Raymond F. DuBose, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember



City of Newnan, Georgia - Mayor and Council

Date: May 12, 2020

Agenda Item: Contract Award
Mill & Resurface Various Streets- 2020

Prepared by: Michael Klahr, Public Works Director

Purpose: To consider a contract award for the above referenced project

Background: Separate sealed bids were received at the office of the City Manager, April 28, 2020. The low bid, submitted by **CW Matthews Contracting Co., Inc.**, has been found to be responsive to the request for bids. All criteria outlined in the bid documents have been met.

The work includes the variable depth milling and resurfacing of approximately **2.80** centerline miles on **11** streets, and the application of thermoplastic traffic stripe and pavement markings.

The City of Newnan has received funding assistance (LMIG FY 2020) from the Georgia Department of Transportation (GDOT) in the amount of **\$437,676.17**.

The contract will be quantity based.

Options: A. Award a contract to **CW Matthews Contracting Co., Inc.** for a base bid amount of **\$902,089.82**

B. Other action as directed by Council

Funding: SPLOST 2019

Recommendation: Option A

Attachments: Bid Tabulations
List of Streets



City of Newnan, Georgia

BID OPENING: LMIG
Mill & Resurface Various Streets 2020
April 28th, 2020- 10am

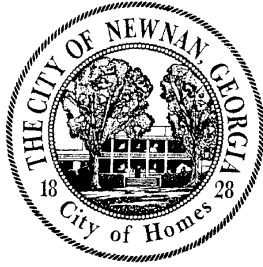
BIDDER	BID AMOUNT	COMMENTS
ShepCo Paving	\$709,376.70	\$1,087,174.20 CORRECTED
Blount Construction	\$1,003,217.45	
Piedmont Paving	\$948,273.89	
CW Matthews	\$902,089.82	
Atlanta Paving & Concrete Construction	\$1,111,599.45	
Baldwin Paving	\$1,007,800.89	

BIDS OPENED BY

EXHIBIT A

ROAD NAME	BEGINNING	ENDING	LENGTH (Feet)	DESCRIPTION OF WORK
E Newnan Rd	E Broad St	Martin Luther King Jr Dr	1750	Mill, deep patch, overlay, flush w/ gutter
Greison Tr	McIntosh Pkwy	E Broad St	3560	Mill, deep patch, overlay, flush w/ gutter or safety edge at shoulder
Gladeccress Ln	E Newnan Rd	Preserve Rd	290	Mill, deep patch, overlay, flush w/ gutter
Preserve Dr	Cul de Sac	E Broad St	2340	Mill, deep patch, overlay, flush w/ gutter
Rockcress Ct	Preserve Dr	Cul de Sac	280	Mill, deep patch, overlay, flush w/ gutter
Belltree Cir	Lower Fayetteville Rd	Westhill Dr	1150	Mill, deep patch, overlay, flush w/ gutter
Hunterian Pl	Belltree Cir	Westhill Dr	656	Mill, deep patch, overlay, flush w/ gutter
Stones Throw Ln	Stonebridge Way	Granite Way	925	Mill, deep patch, overlay, flush w/ gutter
Fairhaven Dr	Fourth St	Fairview Dr	1061	Mill, deep patch, overlay, flush w/ gutter
Natalia Ct	Fairhaven Dr	Cul de Sac	850	Mill, deep patch, overlay flush w/ gutter
Fairview Dr	Natalia Ct	Cul de Sac	1925	Mill, deep patch, overlay flush w/ gutter

2.80 miles



City of Newnan, Georgia - Mayor and Council

Date: May 12, 2020

Agenda Item: Contract Award
Reclamation & Paving Two Local Streets 2020

Prepared by: Michael Klahr, Public Works Director

Purpose: To consider a contract award for the above referenced project

Background: Separate sealed bids were received at the office of the City Manager, April 28, 2020. The low bid, submitted by **CW Matthews Contracting Co., Inc.**, has been found to be responsive to the request for bids. All criteria outlined in the bid documents have been met.

The work includes the full depth reclamation and paving, and the application of thermoplastic traffic stripe and pavement markings, for two local streets:

Sprayberry Rd, from Jackson St (SR 14) to Jefferson St
Werz Industrial Dr, from Millard Farmer Industrial Blvd (SR 34 Bypass) to Calumet Pkwy

The contract will be quantity based.

Options: A. Award a contract to **CW Matthews Contracting Co., Inc.** for a base bid amount of **\$850,161.85**

B. Other action as directed by Council

Funding: SPLOST 2019

Recommendation: Option A

Attachments: Bid Tabulations

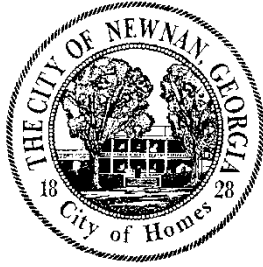


City of Newnan, Georgia

BID OPENING: LMIG
Reclamation & Paving Two Local Streets 2020
April 28th, 2020- 10am

BIDDER	BID AMOUNT	COMMENTS
ShepCo Paving	\$1,169,755.26	
Blount Construction	\$1,129,978.33	
Piedmont Paving	\$938,742.35	
CW Matthews	\$850,161.85	
Atlanta Paving & Concrete Construction	\$882,595.90	
Baldwin Paving		

BIDS OPENED BY



City of Newnan, Georgia – Mayor and City Council

Date: May 12, 2020

Agenda Item: Annexation Request – Linchwood Coweta, LLC
65.77± acres located on Parks Road (Tax Parcel # 123 1050 005)

Prepared and Presented by: Tracy Dunnavant, Planning Director

Purpose: Melissa Griffis, on behalf of Linchwood Coweta, LLC, is requesting the annexation of tax parcel # 123 1050 005 into the city limits. The parcel contains approximately 65.77± acres and is located off Parks Road. The tract currently is the site of a single-family home.

Land Owner	Tax ID Numbers	Acreage	Location
Lucille B Stephenson Estate	123 1050 005	65.77 ± acres	Parks Road

Background: Melissa Griffis, on behalf of Linchwood Coweta, LLC is asking the Council to annex a total of 65.77± acres located on Parks Road into the city limits. The parcel currently is undeveloped and the annexation project would abut the city limits across Parks Road. The petitioner is requesting a zoning designation of RU-7 (Urban Residential Single-Family Dwelling District – High Density) for 65.77± acres. The applicant is seeking to construct a 118-lot residential subdivision.

OPTIONS:

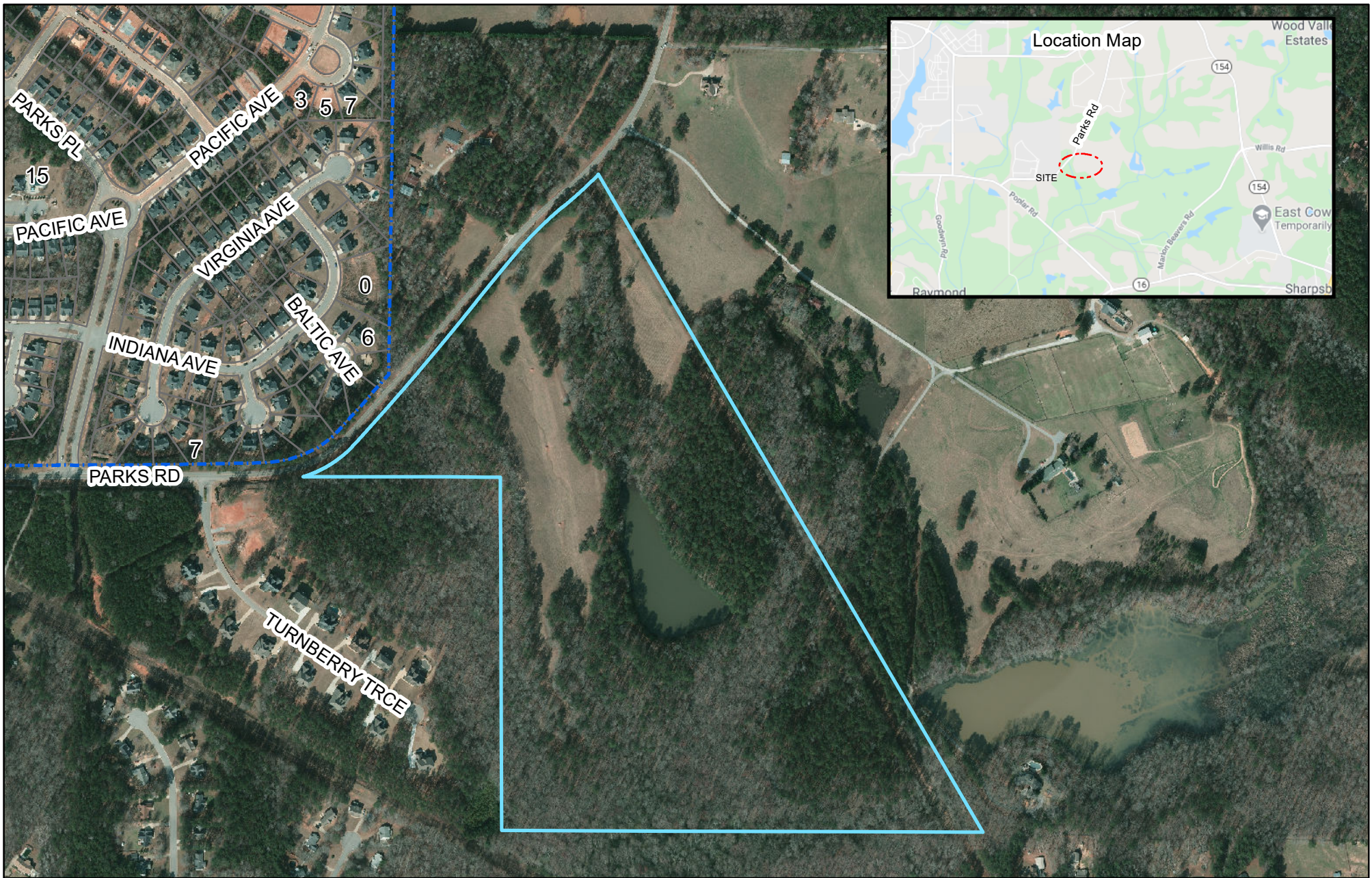
- A. Act to pursue Annexation/Rezoning
- B. Deny the Annexation/Rezoning Petition

ATTACHMENTS:

Letter of Intent
Location Map
Application for Annexation

Funding: N/A

Previous Discussion with Council: None



CITY OF NEWNAN | Project Location



CITY OF NEWNAN
PLANNING DEPT.
25 LAGRANGE STREET
NEWNAN, GEORGIA 30263
www.cityofnewnan.com



1 inch = 500 feet

LEGEND

Project Location

PARCELS

CITY LIMITS

AD 68 S
Parks Rd
SHARPSBURG GA 30277



HORNE & GRIFFIS, P.C.
32 South Court Square, P.O. Box 220
Newnan, Georgia 30264
www.newnanlaw.com

MELISSA D. GRIFFIS (GA, AL)

Telephone (770) 253-3282
FAX (770) 251-7262
Email: melissa@newnanlaw.com

April 1, 2020

VIA HAND DELIVERY

Ms. Tracy Dunnivant
Planning Director
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

RE: Annexation Application of Linchwood Coweta, LLC
Approx. 65.77+/- Acres Located on Parks Road, Newnan,
Georgia

Dear Ms. Dunnivant:

Linchwood Coweta, LLC, the Applicant of the above-described property ("the Property") in Newnan, Georgia, hereby makes this application to annex the Property from RC in Coweta County, Georgia to RU-7 in the City of Newnan. The Property provides a suitable environment for the extension of the RU-7 zoning at this site and is a very desirable use at this location. The applicant is requesting that the Property be annexed into the City of Newnan.

Linchwood Coweta, LLC has its mailing address at 26 Dorset Court, Sharpsburg, GA 30277 and telephone number at (770) 318-8585. The address for the Property is Parks Road, Newnan, Georgia 30263. The tax map number of the Property is: 123 1050 005.

The Property is the most appropriate site for the zoning designation requested insofar as it is located adjacent to property in the City of Newnan in close proximity to other similar uses. The City of Newnan already provides services in the area with Parkside Village neighborhood being adjacent to The Property. The proposed annexation will facilitate the smart growth and development that is expected in the City of Newnan.

For the reasons stated above, Linchwood Coweta, LLC believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance. Additionally, the proposed zoning designation and use will facilitate provision of additional RU-7 single-family residential development property in a manner consistent with principles of smart development so highly valued by the City of Newnan.

Ms. Tracy Dunnavant
April 1, 2020
Page 2

Linchwood Coweta, LLC has, at attached Tabs (A) through (I), included all materials required per the Application Form and applicable Ordinance provisions. **As always, should you have any questions about the material submitted, or should you require additional information, please do not hesitate to contact me.** Linchwood Coweta, LLC, as Applicant, and myself, as counsel for Linchwood Coweta, LLC look forward to working with you and your staff as you review and analyze the enclosed Application.

I look forward to receiving the Planner's Recommendation in the near future.

Yours Truly,



Melissa D. Griffis
For Linchwood Coweta, LLC

MDG/kr
Enclosures

TAB A

Application for Annexation



CITY OF NEWNAN, GEORGIA Planning and Zoning Department

25 LaGrange Street
Newnan, Georgia 30263
Office (770) 254-2354
Fax (770) 254-2361

APPLICATION FOR ANNEXATION

The purpose of the Annexation Zoning Policy is to provide a mechanism whereby land, which is subject to annexation by the City of Newnan, shall be evaluated and a zoning district be decided upon to apply to said land upon the annexation becoming final.

Name of Applicant Linchwood Coweta, LLC

Mailing Address 26 Dorset Circle, Sharpsburg, GA 30277

Telephone (770) 318-8585 Email: toddfreemanbuilder@gmail.com

Property Owner (Use back if multiple names) Lucille B. Stephenson Estate c/o Martha Jo Byrd, Trustee

Mailing Address 605 Burke Lake Road, NW, Marietta, GA 30064-1105

Telephone _____ Fax _____

Address/Location of Property Parks Road

County Zoning Classification RC Requested Zoning Classification RU-7

Present Land Use undeveloped land

Upon receipt of this application for annexation of property to the City, such application shall be placed on an agenda of the City Council meeting within 60 days of the filing of such application. The City Council shall evaluate the application, and if it is decided that the City will pursue annexation, the zoning request for the property is forwarded to the Planning Commission for a zoning recommendation.

Petitioners for annexation must present to the Planning & Zoning Department the following information:

 X A petition for annexation into the City of Newnan, Georgia, which shall be in the form of a letter and include:

- ✓ Petitioner 's Name
- ✓ Mailing Address
- ✓ Contact Telephone Number
- ✓ Address or Tax Map Number of the property(s) proposed for annexation
- ✓ County Zoning Classification(s)
- ✓ Requested Zoning Classification(s)
- ✓ Present Land Use of the property(s)
- ✓ Proposed Land Use of the property(s)

 X A completed property owners authorization form (attachment A). If multiple properties are being requested a separate application shall be submitted.

 X A legal description of the property(s) and a legal description for each zoning classification being requested

X A survey by a licensed and registered land surveyor (which shall show, at a minimum, the extents of the property, size in acres, adjacent property owners, and the existing city limits line). One paper plat 18" x 24" minimum size and a digital copy in pdf format.

 X A check in the amount of \$600.00/Plus fees per acre as determined by the requested zoning classification payable to the City of Newnan.

- | | |
|--|------------------|
| ☒ Single-Family Zoning Classification..... | \$15.00 Per Acre |
| ☐ Multi-Family Zoning Classification..... | \$25.00 Per Acre |
| ☐ Office/Institutional Zoning Classification..... | \$15.00 Per Acre |
| ☐ Commercial Zoning Classification..... | \$25.00 Per Acre |
| ☐ Industrial Zoning Classification..... | \$15.00 Per Acre |

 X A list of all property owners with addresses within 250 feet of the property(s) being annexed.

The City Council may reject the application or refer it to the Planning Commission to consider zoning and other relevant planning issues including whether the proposed annexation meets the intent of the Comprehensive Plan and whether the property should be annexed. If the annexation is to be passed to the Planning Commission, the City shall notify Coweta County of intent to annex within 5 business days of receipt of the request for annexation. This notification shall include all relevant data pertaining to the proposed land use of the area to be annexed. Upon receiving a recommendation from the Planning Commission, the City Council may choose to proceed with annexation of the property. The annexation shall be effective on the last day of the calendar quarter during which the annexation occurred.

The procedure for rezoning of the property is identical to that of a conventional rezoning except the hearing before the Council shall be conducted prior to the annexation of the subject property into the City.

The zoning classification approved by the City following the hearing shall become effective on the later of:

- > The date the zoning is approved by the Council, and
- > The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

All annexation into the City of Newnan shall meet all of the requirements for resolution of land use conflicts as required by State House Bill 489 (refer to Article 10, §10-4 of the Newnan Zoning Ordinance).

I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.


Applicant's Signature

4-1-2020
Date

FOR OFFICIAL USE ONLY

DATE RECEIVED

4-1-2020

RECEIVED BY

Don Smith

X A check in the amount of \$600.00/Plus fees per acre as determined by the requested zoning classification payable to the City of Newnan.

- | | |
|--|------------------|
| ☒ Single-Family Zoning Classification..... | \$15.00 Per Acre |
| ☐ Multi-Family Zoning Classification..... | \$25.00 Per Acre |
| ☐ Office/Institutional Zoning Classification..... | \$15.00 Per Acre |
| ☐ Commercial Zoning Classification | \$25.00 Per Acre |
| ☐ Industrial Zoning Classification..... | \$15.00 Per Acre |

X A list of all property owners with addresses within 250 feet of the property(s) being annexed.

The City Council may reject the application or refer it to the Planning Commission to consider zoning and other relevant issues including whether the proposed annexation meets the intent of the Comprehensive Plan and whether the property should be annexed. If the annexation is to be passed to the Planning Commission, the City shall notify Coweta County of intent to annex within 5 business days of receipt of the request for annexation. This notification shall include all relevant data pertaining to the proposed land use of the area to be annexed. Upon receiving a recommendation from the Planning Commission, the City Council may choose to proceed with annexation of the property. The annexation shall be effective on the last day of the calendar quarter during which the annexation occurred.

The procedure for rezoning of the property is identical to that of a conventional rezoning except the hearing before the Council shall be conducted prior to the annexation of the subject property into the City.

- > The date the zoning is approved by the Council, and
- > The date the annexation becomes effective pursuant to O.C.G.A. §30-30-4

All annexation into the City of Newnan shall meet all of the requirements for resolution of land use conflicts as required by State House Bill 489 (refer to Article 10, §10-4 of the Newnan Zoning Ordinance).

I do hereby certify that the information provided herein is both complete and accurate to the best of my knowledge, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Applicant's Signature

Date _____

FOR OFFICIAL USE ONLY	
DATE RECEIVED	_____
RECEIVED BY	_____

TAB B

Property Owners Authorization Form



City of Newnan, Georgia
Attachment A

Property Owner's Authorization

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

Name of Property Owner Lucille B. Stephenson Estate c/o Martha Jo Byrd, Trustee

Telephone Number _____

Address of Subject Property Parks Road

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

Martha Jo Byrd, Trustee

Signature of Property Owner
Martha Jo Byrd, Trustee of the
Lucille B. Stephenson Estate

Personally appeared before me

Martha Jo Byrd

who swears the information contained
in this authorization is true and correct
to the best of his/her knowledge and
belief.

Lu Ann Lee Hume
Notary Public Comm. Expires 11/18/21

(Affix Raised Seal Here)

March 18, 2020
Date

TAB C

Warranty Deed

BK02440PG352

FILED IN OFFICE
CLERK OF
SUPERIOR/JUVENILE
COURT

2004 MAR -3 PM 12:08

CINDY G. BROWN, CLERK
COWETA COUNTY, GA

Return to: TWB
Moore, Ingram, Johnson & Steele
192 Anderson Street/SSS
Marietta, GA 30060

STATE OF GEORGIA

COUNTY OF COBB

DEED OF ASSENT

THIS INDENTURE, made this 2 day of March, 2004, between
✓ MARTHA JO BYRD, as Executor Under the Last Will and Testament of
Lucille B. Stephenson, (hereinafter referred to as the "Decedent"),
late of Cobb County, Georgia, deceased, party of the First Part,
and Martha Jo Byrd, as Trustee of the Residuary Trust Under the
Last Will and Testament of Lucille B. Stephenson, party of the
Second Part:

WITNESSETH:

That the said Party of the First Part, acting as Executor
under and by virtue of the power and authority contained in the
Last Will and Testament of Lucille B. Stephenson, deceased, said
Will having been probated in Solemn Form by Order of the Probate
Court of Cobb County, Georgia, on October 15, 2003, in Estate
Number: 03-1636, as evidence of the devise contained in Item VI of
the Last Will and Testament of Lucille B. Stephenson, has assented,
transferred, granted and conveyed, and by these presents, does
assent, transfer and convey unto the said party of the Second
Party, her heirs and assigns, the following described property, to-
wit:

A certain tract or parcel of land, situate, lying and being in
Land Lots 18, 50 and 51 of the First Land District, ✓ Coweta
County, Georgia, containing 65.774 acres and more particularly
described as follows:

BEGIN at an iron pin marking the Southeast corner of Land Lot
18 and from said iron run thence South 88 degrees 59 minutes
West 773.38 feet to the Right of Way of Parks Road; thence
North 43 degrees 39 minutes 40 seconds East 494.40 feet along
the Southeasterly Right of Way of Parks Road to a point;

BK02440PG353

thence continuing North 43 degrees 50 minutes East 1126.37 feet along the Southeasterly Right of Way of Parks Road to an iron pin; thence South 29 degrees 02 minutes 20 seconds East 2874.24 feet to an iron pin; thence North 89 degrees 39 minutes 40 seconds West 1147.40 feet to an iron pin; thence North 88 degrees 15 minutes West 605.88 feet to an iron pin located on the West line of Land Lot 50; thence North 0 degrees 24 minutes 40 seconds East 1331.25 feet along the West line of Land Lot 50 to an iron pin and the point of beginning.

Said tract is more particularly identified according to plat of survey made by T. Y. Mattox, dated 3-30-72 and revised May 18, 1972, and of record in Plat Book 16, Page 113, Office of the Clerk, Coweta Superior Court.

This deed is executed and delivered by the said Martha Jo Byrd, as Executor of the Estate of Lucille B. Stephenson, deceased, to the Grantee herein, for the purpose of evidencing her assent to the devise contained in said Last Will and Testament and to transfer and convey all of the right, title and interest of Lucille B. Stephenson, deceased, or her estate in and to said above-described property.

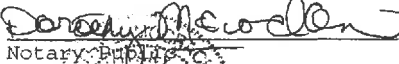
All debts, claims, taxes and expenses due by the said Lucille B. Stephenson, deceased, and her estate, have been paid in full.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said party of the Second Part, her heirs and assigns, forever, in FEE SIMPLE, in as full and ample a manner as the same was held, possessed and enjoyed by the said Lucille B. Stephenson, deceased, in her lifetime.

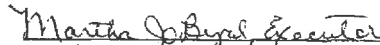
IN WITNESS WHEREOF, the said party of the First Part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:


Unofficial Witness


Notary Public




Martha Jo Byrd, as Executor
Under the Last Will and
Testament of Lucille B.
Stephenson

TAB D

Legal Description of Property

LEGAL DESCRIPTION

A certain tract or parcel of land, situate, lying and being in Land Lots 18, 50 and 51 of the First Land District, Coweta County, Georgia, containing 65.774 acres and more particularly described as follows:

BEGIN at an iron pin marking the Southeast corner of Land Lot 18 and from said iron run thence South 88 degrees 59 minutes West 773.38 feet to the Right of Way of Parks Road; thence North 43 degrees 39 minutes 40 seconds East 494.40 feet along the Southeasterly Right of Way of Parks Road to a point; thence continuing North 43 degrees 50 minutes East 1126.37 feet along the Southeasterly Right of Way of Parks Road to an iron pin; thence South 29 degrees 02 minutes 20 seconds East 2874.24 feet to an iron pin; thence North 89 degrees 39 minutes 40 seconds West 1147.40 feet to an iron pin; thence North 88 degrees 15 minutes West 605.88 feet to an iron pin located on the West line of Land Lot 50; thence North 0 degrees 24 minutes 40 seconds East 1331.25 feet along the West line of Land Lot 50 to an iron pin and the point of beginning.

Said tract is more particularly identified according to plat of survey made by T. Y. Mattox, dated 3-30-72 and revised May 18, 1972, and of record in Plat Book 16, Page 113, Office of the Clerk, Coweta Superior Court.

TAB E

Survey

(To Be Submitted Separately)

TAB G

Names and Addresses of All Property Owners Within 250' Feet

Aycock, Kevin & Julie
88 Turnberry Trace
Sharpsburg, GA 30277

Dietz, Jason Randall &
Kimberlie
124 Turnberry Trace
Sharpsburg, GA 30277

Garcia, Armando S. &
Mirna R.
6 New York Ave.
Sharpsburg, GA 30277

Hutchens, Travis W.
83 Winthrop Drive
Sharpsburg, GA 30277

Madden, James D.
400 Parks Road
Sharpsburg, GA 30277

Overton, Darryl H. &
Denise
91 Winthrop Drive
Sharpsburg, GA 30277

Pritchett, Joel & Emma F.
126 Turnberry Trace
Sharpsburg, GA 30277

Reuss, Charles Michael Jr.
45 Jesse Lane
Sharpsburg, GA 30277

Smith, Brian & Arianna
46 Turnberry Trace
Sharpsburg, GA 30277

Boone, Michael Eugene &
Kerry
72 Turnberry Trace
Sharpsburg, GA 30277

Duck, Aaron D. & Lauren
F. Duck
10 New York Ave.
Sharpsburg, GA 30277

Fausett, Ryan
14 New York Ave.
Sharpsburg, GA 3027

Gould, Mark & Kimberly
7 Baltic Ave.
Sharpsburg, GA 30277

Jernigan, Walter
55 Winthrop Drive
Sharpsburg, GA 30277

Mills, Rebecca & Jeffrey T
125 Turnberry Trace
Sharpsburg, GA 30277

Parks Road Investment
LLC
155 Creekwood Lane
Fayetteville, GA 30214

Ramey-Smith, Jeanee
28 Turnberry Trace
Sharpsburg, GA 30277

Ruck, Mark & Tina
69 Andover Court
Sharpsburg, GA 30277

De George, Gary J. Jr.
PO Box 71697
Newnan, GA 30271

Edgar Hughston Builder
Inc.
8219 North Crossing Court
Fortson, GA 31808

Foulks, Christopher M. &
Pamela A.
27 Andover Court
Sharpsburg, GA 30277

Knoll, Ronal J. Estate &
Michelle
35 Jesse Lane
Sharpsburg, GA 30277

Norman, Jeremy R. &
Karen A.
20 Turnberry Trace
Sharpsburg, GA 30277

Perry, Cheryl A.
15 New York Ave.
Sharpsburg, GA 30277

Rasmussen, Carol R.
Living Trust
108 Turnberry Trace
Sharpsburg, GA 30277

Schafter, Carl J. &
Elizabeth N.
108 Turnberry Trace
Sharpsburg, GA 30277

Wall, Doris
PO Box 1302
Cashiers, NC 28717

Walton, John Patrick &
Melinda
6 Baltic Ave.
Sharpsburg, GA 30277

Williams, Kerri S.
76 Turnberry Trace
Sharpsburg, GA 30277

Tab H

Renderings of Potential Homes for Linchwood Coweta, Inc.











Linchwood Coweta

- Residential single-family homes of 2000-3000 square feet
- Upgrades throughout the homes as selected by the homeowners
- Custom-built home atmosphere in the neighborhood
- Amenity center with pool
- Walking trails

Tab I

Disclosure of Campaign Contributions & Gifts



City of Newnan, Georgia

Attachment B

Disclosure of Campaign Contributions & Gifts

Application filed on April 1, 2020, for action by the Planning Commission on rezoning requiring a public hearing on property described as follows:

Approximately 65.774 +/- acres located on Parks Road

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia Section 36-67A-1, et seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations' having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Newnan City Council or a member of the Newnan Planning Commission? Yes ☐ No ☒

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Signature of Applicant

Type or Print Name and Title

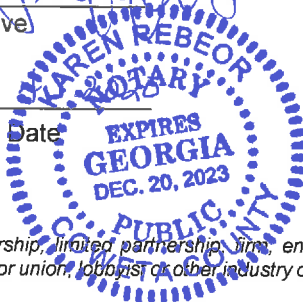
Melissa D. Griffis, Attorney

Type or Print Name and Title

Signature of Applicant's Representative

Signature of Notary Public

Date



(Affix Raised Seal Here)

Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trust while other organization means non-profit organization, labor union, lobbyist, or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



City of Newman, Georgia
Newman, Georgia 31707

Disclosure of Campaign Contributions & Gifts

Application Form No. 1-100-1

2020 Not Subject to the Planning Commission

Returning to the City of Newman, Georgia, for the purpose of the following:

Approximately 50,000 acres located at Park Road

The undersigned below, making application for Planning Commission action, has complied with the Official Code of Georgia, Section 36-6-14, as amended, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on this form as provided.

All individuals, business entities, or other organizations having a property or other interest in said property subject of this application are as follows:

Have you as applicant or anyone associated with this application or property within the two (2) years immediately preceding the filing of this application made campaign contributions aggregating \$250.00 or more to a member of the Newman City Council or a member of the Newman Planning Commission? Yes ☐ No ☒

If YES, please complete the following section (attach additional sheets if necessary):

Name and Official Position of Government Official	Contributions (List all which aggregate to \$250 or more)	Date of Contribution (Within last 2 years)

I do hereby certify the information provided herein is both complete and accurate to the best of my knowledge.

Martha Jo Byrd
Signature of Applicant

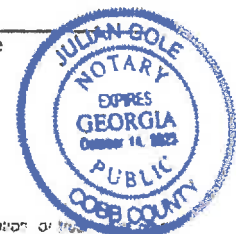
Martha Jo Byrd, Juror
Type or Print Name and Title

Signature of Applicant's Representative

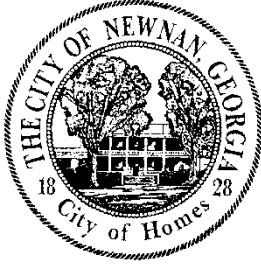
Melissa D. Griffin, Attorney
Type or Print Name and Title

Julian Cole 4/27/2020
Signature of Notary Public Date

(Affix Raised Seal Here)



Business entity may be a corporation, partnership, limited partnership, firm, enterprise, franchise, association, trade organization, or trade organization means non-profit organization, labor union, lobbyist, or other industry or casual representative, church, foundation, club, charitable organization, or educational organization.



City of Newnan, Georgia - Mayor and Council

Date: May 12, 2020

Agenda Item: Consider authorizing the release of a Request for Qualifications (RFQ) for the development of construction documents for the Jackson Street and Sprayberry Road Sidewalk project.

Prepared by: Ronda Helton, Program Manager

Presented by: Hasco Craver, Assistant City Manager

Purpose: To authorize City staff to develop and release a Request for Qualifications (RFQ) for the development of construction documents for the Jackson Street and Sprayberry Road Sidewalk project in preparation of a FY 2021 call for FHWA – TA Set-Aside Funds through the Atlanta Regional Commission.

Background: City staff recently engaged Keck & Wood to perform a scoping study of the construction and associated costs of installing sidewalks on both Jackson Street and Sprayberry Road: connecting historic downtown Newnan and Sprayberry Road Park with neighboring residential neighborhoods. The estimated cost of the aforementioned improvements is \$2,498,750. In response to the study results, city staff began investigating potential funding sources.

City staff noted the Federal Highway Administration's (FHWA) alternative transportation set-aside funding program as a potential source.

The Fixing America's Surface Transportation (FAST) Act, which replaced the former Transportation Alternatives Program (TAP) makes a set-aside of funds under the Surface Transportation Block Grant Program (STBG) available for use. The Federal Highway Administration (FHWA) refers to these funds as the TA Set-Aside.

The TA Set-Aside authorizes funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities such as historic preservation and vegetation management, and environmental mitigation related to storm water and habitat connectivity; recreational trail projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former divided highways.

The Atlanta Regional Commission manages the TA Set-Aside funds for our region.

There is a strong likelihood that the Atlanta Regional Commission will be releasing a call for projects in FY 2021 for the Transportation Alternation Program and the general criteria for receiving an allocation of funds is that the project should be "shovel ready". It is commonly understood that "shovel ready" projects are those that, at a minimum, have a full set of completed construction documents.

City staff would like to prepare for the likely call for projects by obtaining a qualified firm to develop construction documents in order to be "shovel ready" when the call for projects is announced.

Funding: SPLOST 2019

Recommendation: Newnan City Council may approve staff to release an RFQ to obtain an firm to develop construction documents for Jackson Street Sidewalks and Sprayberry Road Sidewalk projects.

Attachments: Keck and Wood Study Results

Previous Discussions with Council: Newnan City Council, at the 2020 Council retreat, requested that City staff investigate the feasibility and cost of installing sidewalks along Sprayberry Road and Jackson Street.

JACKSON STREET SIDEWALK CONCEPT STUDY

To: City of Newnan
Project Name: Jackson Street Sidewalk Concept Study
K&W Project Number: 208000.00
Date: 4/2/2020
From: Eric Pitts

1. Project Identification Information

- a. **Project Name:** Jackson Street Sidewalk Concept Study
- b. **Project Location and Termini:** City of Newnan, GA. Jackson Street, from Clark Street to SR 34.

2. Design Features:

i. Functional Classification:

- Jackson Street/SR 14/US 29 – Principal Arterial

ii. Posted Speed:

- Jackson Street – 35 mph

iii. Typical Section (Jackson Street):

- 11' to 12' travel lanes
- 2.5' curb and gutter on both sides of Jackson Street
 - a. In sections where Jackson Street has existing curb and gutter in good condition, it will be left in place
 - b. In sections where there is sub-standard curb and gutter, it will be replaced with new 2.5' curb and gutter
- Sidewalk on both sides of Jackson Street
 - a. In sections where utility poles are on the same side of the road as the proposed sidewalk, 6' sidewalk will be placed directly on the back of curb and gutter to avoid utility poles conflicts with sidewalk.
 - b. In sections where there are not utility poles on the same side of the road as sidewalk, a 2' grass strip and 5' sidewalk will be proposed.
- Retaining Wall – from Sprayberry Road to Columbus Circle
 - i. Gravity wall approximately 3 ft tall in cut, stamped concrete or rubble masonry to be used for decorative finish

iv. Right of Way Width:

- Jackson Street, from Clark Street to SR 34: varies, 30' to 50'

v. Length of Roadway:

- Jackson Street, from Clark Street to SR 34: approximately 1.4 mi
- There are no proposed improvements from Clark Street to Cavender Street to avoid impacts on large retaining wall and adjacent cemetery.
 - a. To mitigate for this lack of sidewalk, a mid-block crossing north of the intersection of Jackson Street and Cavender Street is proposed. This will allow pedestrians to safely access new sidewalk on both sides of the road and avoid the existing dead end of sidewalk on the east side of Jackson Street. This area is favorable for a crossing due to the good sight lines, straight alignment, and level profile. The width of the road also allows for a potential median pedestrian island or rectangular rapid flashing beacon for enhanced pedestrian safety.
- There are no proposed improvements at the north end of the project near State Route 34 because the existing conditions are favorable

3. Property Impacts:

- Per available GIS information, the ROW width is 50' for the entire corridor. However, right-of-way markers at several locations indicate ROW width as narrow as 30', and utility pole locations suggest a 40' ROW at other locations.
- Additional ROW will be required where existing width is less than 40'. Other locations will require temporary construction and driveway easements will be necessary from most parcels.
- There are 30 adjacent parcels along the west side of the roadway, with 29 driveways that would require reconstruction to be ADA compliant.
- There are 42 adjacent parcels along the east side of the roadway, with 31 driveways that would require reconstruction to be ADA compliant.
- The frontage of the west side of Jackson Street consists of a few commercial parcels such as a restaurant and a church. Most land use on the frontage is residential housing of varying distance from the right of way. Very little impact will be expected to these parcels from sidewalk construction and associated grading. Approximately 9 residential parcels have relatively smaller house setbacks, and may have minimal impacts to front yards from construction activity. Some landscaping is expected to be impacted by sidewalk construction.
- The frontage of the east side of Jackson Street consists of a few commercial parcels such as a cemetery, small businesses, a restaurant, and a gas station. Most land use on the frontage is residential housing of varying distance from the right of way. Very little impact will be expected to these parcels from sidewalk construction and associated grading. Approximately 13 residential parcels have relatively smaller house setbacks, and may have minimal impacts to front yards from construction activity. Some landscaping is expected to be impacted by sidewalk construction.

4. Utility Impacts:

- Utility poles with overhead utilities are present along both sides of Jackson Street. These poles are at the existing back of sidewalk, so the design is constrained to avoid conflict with these poles.
- Fire hydrants are located along with west side of Jackson Street. These are offset from the edge of pavement approximately 10' at most locations. It is expected that sidewalk construction could work around these hydrants, with minimal impacts such as adjustments to fire hydrant heights at some locations.
- The project will require longitudinal piped storm drainage. The design of this storm drainage system would minimize impact to underground utilities, such as water, natural gas, and fiber optic communications where feasible; however, some relocation or adjustments to existing underground utilities may be necessary.

5. Drainage Evaluation:

- The existing drainage conditions of Jackson Street are comprised of underground drainage that appears to be substandard. We expect that the spacing of existing inlets is inadequate for current drainage requirements. The existing inlets will need to be upgraded, and new inlets and new longitudinal piping will need to be added. Existing piping may remain if the condition, depth, and size are acceptable. The drainage patterns will be maintained with a closed pipe system, and there is little concern with increased runoff within any basins.

6. Permit Requirements:

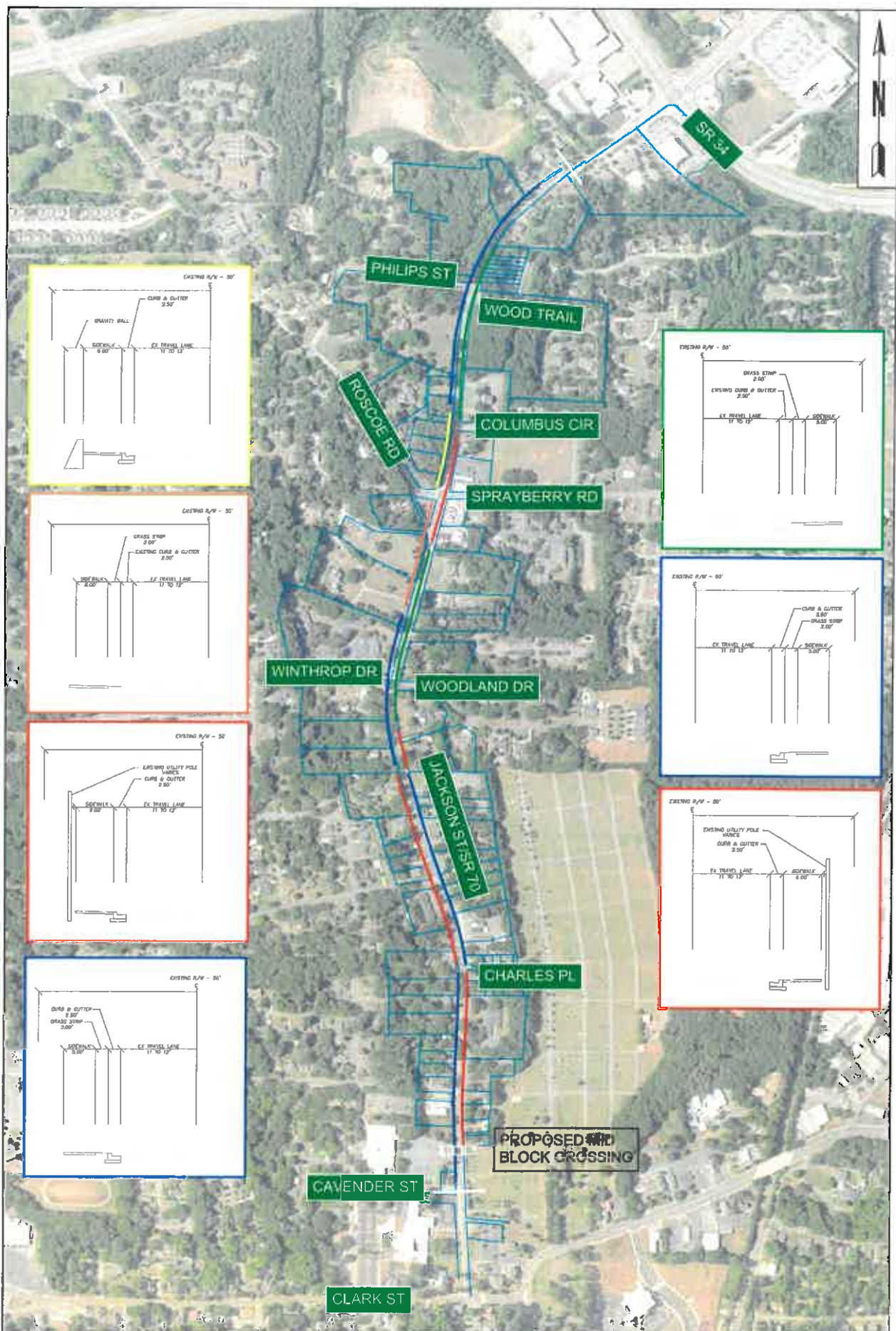
- Notice of Intent (NOI) for NPDES GAR100002 for erosion control
- Georgia Department of Transportation (GDOT) Encroachment Permit for improvements on the state route

7. Cost Summary:

	Phase 1 South of Sprayberry Rd	Phase 2 North of Sprayberry Rd
CONSTRUCTION SUB-TOTAL	\$1,050,000	\$550,000
ROW SUB-TOTAL	\$200,000	\$100,000
PE SUB-TOTAL (10%)	\$105,000	\$55,000
UTILITIES SUB-TOTAL	\$12,000	\$8,000
CONTINGENCY (10%)	\$105,000	\$55,000
TOTAL	\$1,472,000	\$768,000
TOTAL OF ALL COSTS	\$2,240,000	

Attachments:

1. Concept Evaluation Exhibit
2. Photos



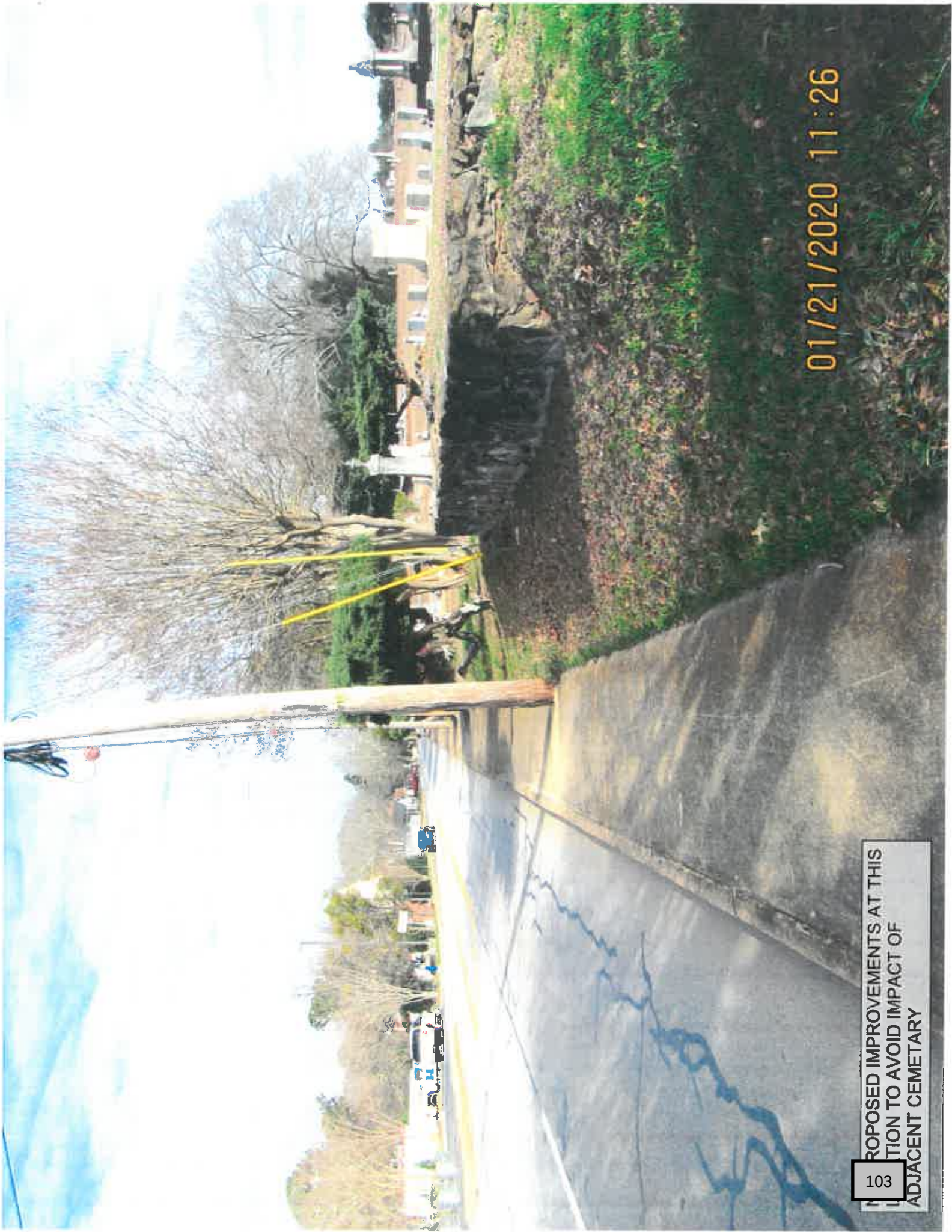
SCALE: 1" = XXX'
 CHECKED BY: XXX
 DRAWN BY: XXX
 DATE: XX/XX/2019

Keck+Wood
 COLLABORATION BY DESIGN
keckwood.com

JACKSON ST SIDEWALK
 CONCEPT STUDY
 JOB NUMBER: XXXXXX

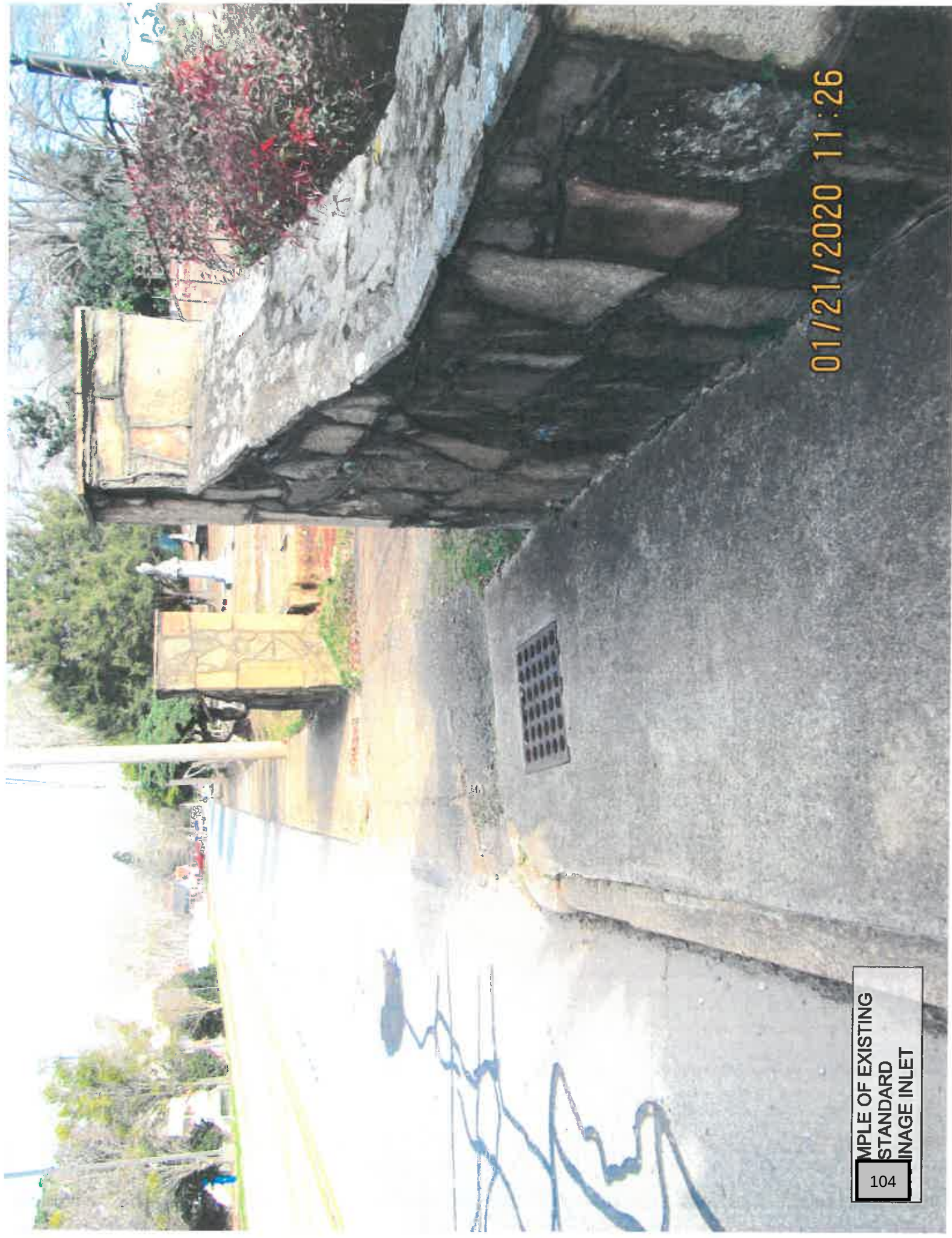
0 500' 1000'
 SCALE: 1" = 500'

EXHIBIT NO. 1
 102



01/21/2020 11:26

PROPOSED IMPROVEMENTS AT THIS
LOCATION TO AVOID IMPACT OF
ADJACENT CEMETARY



01/21/2020 11:26

AMPLE OF EXISTING
STANDARD
DRAINAGE INLET



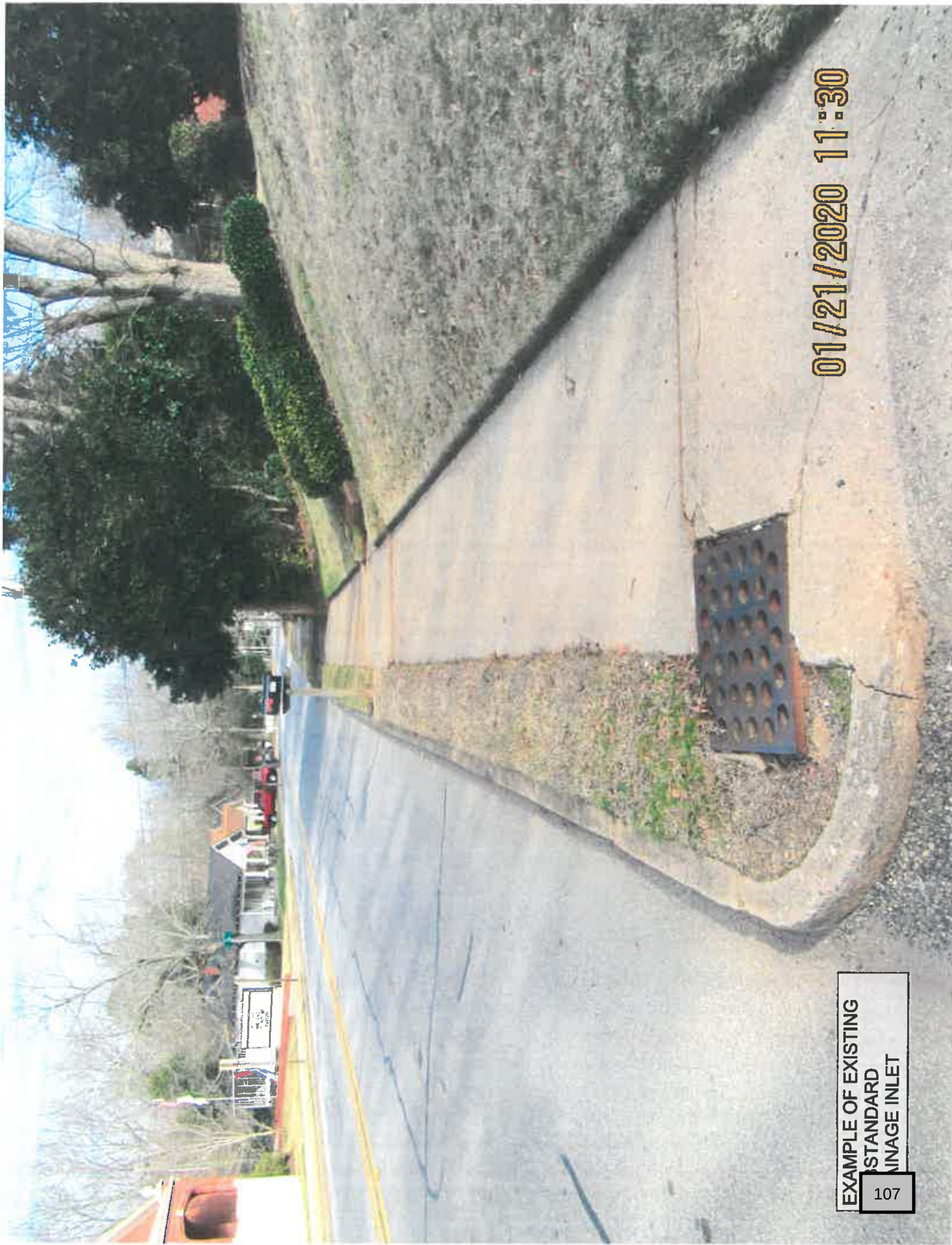
POTENTIAL MID-BLOCK
CROSSING LOCATION AT
METER ENTRY



01/21/2020 11:30

EXAMPLE OF SUBSTANDARD DRAINAGE
INLET

NARROW LANE WIDTHS TO 11' OR 11.5',
WITH GDOT'S PERMISSION, TO ALLOW
FOR 4' SIDEWALK AT BACK OF CURB



01/21/2020 11:30

EXAMPLE OF EXISTING
STANDARD
DRAINAGE INLET

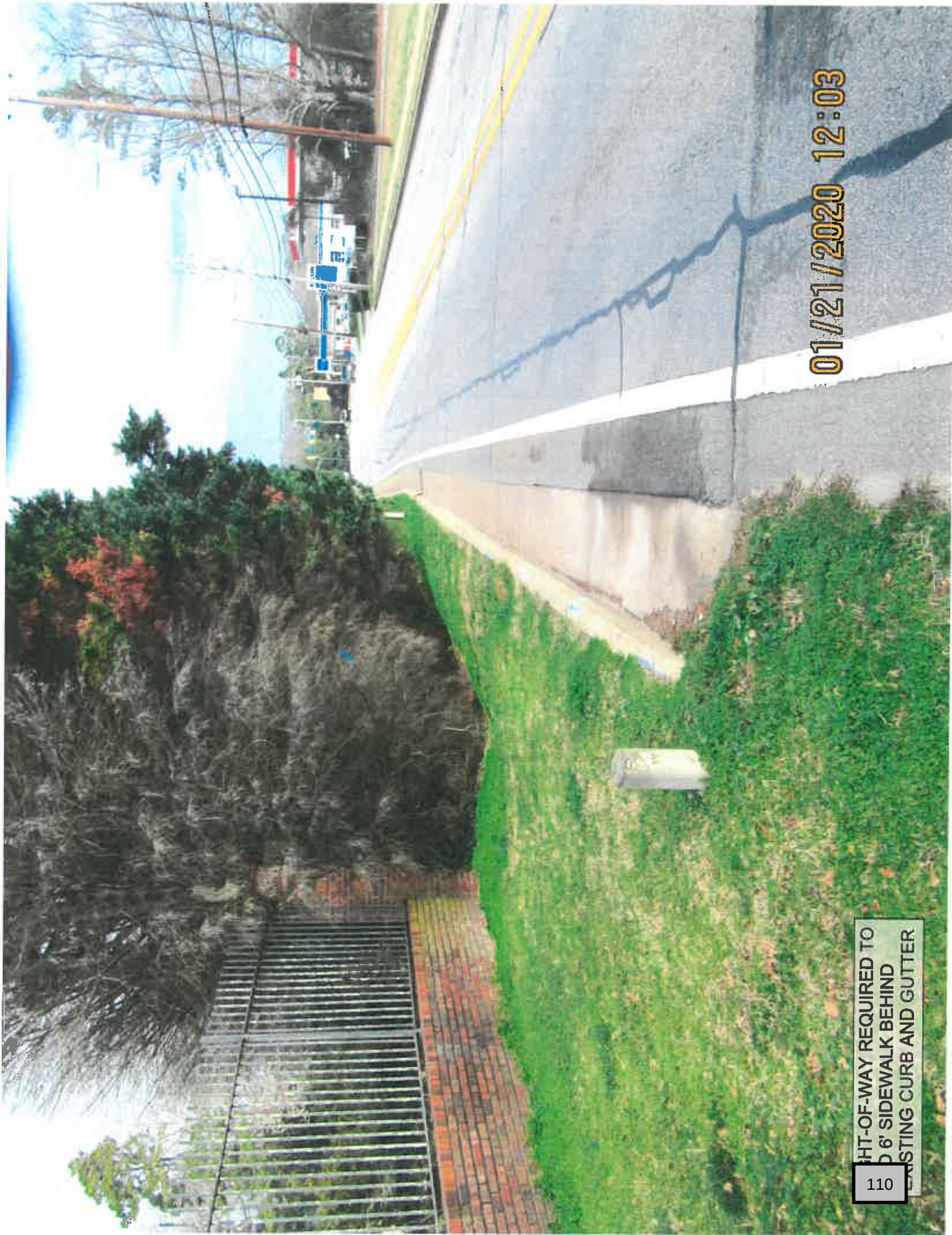


01/21/2020 11:37

SUB-STANDARD CURB
AND SIDEWALK TO BE
REPLACED



01/21/2020 11:38



01/21/2020 12:03

RIGHT-OF-WAY REQUIRED TO
BE MAINTAINED BEHIND
EXISTING CURB AND GUTTER

01/21/2020 12:29

FILL DRAINAGE DITCH TO ADD
C & GUTTER, 2' GRASS
S AND 5' SIDEWALK

111





01/21/2020 12:33

EXISTING SIDEWALK, CURB &
GUTTER TO REMAIN WHERE
APPROPRIATE

SPRAYBERRY ROAD SIDEWALK CONCEPT STUDY

To: City of Newnan
Project Name: Sprayberry Road Sidewalk Concept Study
K&W Project Number: 208000.00
Date: 4/2/2020
From: Eric Pitts

1. Project Identification Information

- a. **Project Name:** Sprayberry Road Sidewalk Concept Study
- b. **Project Location and Termini:** City of Newnan, GA. Sprayberry Road, from Jackson Street to Sprayberry Road Dog Park (Casey Road).

2. Design Features:

- i. **Functional Classification:**
 - Sprayberry Road – Local Road
- ii. **Posted Speed:**
 - Sprayberry Road – 35 mph
- iii. **Typical Section (Sprayberry Road):**
 - 11' to 12' travel lanes
 - 2' curb and gutter on both sides of Sprayberry Road
 - 2' grass strip with 5' sidewalk on North side of Sprayberry Road
- iv. **Right of Way Width:**
 - Sprayberry Road, from Jackson Street to Columbus Circle: 40'
 - Sprayberry Road, from Columbus Circle to Casey Road: 50'
- v. **Length of Roadway:**
 - Sprayberry Road, from Jackson Street to Casey Road: approximately 0.5 mi

3. Property Impacts:

- Though most permanent construction will likely be kept within the existing ROW, temporary construction, and driveway easements will be necessary from most parcels.
- There are 20 adjacent parcels along the north side of the roadway, with 11 driveways that would require reconstruction to be ADA compliant.
- The frontage of the north side of Sprayberry Road consists of one commercial parcel (Sprayberry's BBQ). Most land use on the frontage is residential housing of varying distance from the right of way. Very little impact will be expected to these parcels from sidewalk construction and associated grading. Some landscaping is expected to be impacted by sidewalk construction.

4. Utility Impacts:

- Utility poles with overhead utilities are present along both sides of Sprayberry Road. No impacts to these facilities are expected.
- Underground cable signs are present on the north side of Sprayberry Road.
- Fire hydrants are located on the south side of Sprayberry Road and therefor will not be impacted.

5. Drainage Evaluation:

- The existing drainage conditions of Sprayberry Road, including curb and gutter, and associated inlets and longitudinal drainage systems can be left in place. The drainage patterns will be maintained with a closed pipe system, and there is little concern with increased runoff within any basins. Unless specific drainage concerns

are raised by adjacent property owners or the City of Newnan, no additional drainage infrastructure will be required.

6. Permit Requirements:

- Notice of Intent (NOI) for NPDES GAR100002 for erosion control if disturbed area exceeds 1 acre.

7. Cost Summary:

CONSTRUCTION SUB-TOTAL	\$170,000
ROW SUB-TOTAL	\$40,000
PE SUB-TOTAL (15%)	\$26,250
UTILITIES SUB-TOTAL	\$0
CONTINGENCY (10%)	\$17,500
TOTAL	\$258,750



SCALE: 1" = 200'
 CHECKED BY: XXX
 DRAWN BY: XXX
 DATE: XX/XX/2019

Keck+Wood
 COLLABORATION BY DESIGN
keckwood.com

Sprayberry Rd
 Concept Study
 JOB NUMBER: XXXXXX

0 200' 400'
 SCALE: 1" = 200'

EXHIBIT NO.
 1



City of Newnan, Georgia - Mayor and Council

Date: May 12, 2020

Agenda Item: Insurance Broker Consideration

Prepared By: Cleatus Phillips, Hasco Craver, Meg Blubaugh

Purpose: Consideration of a broker for Broker's Services for Medical Self-Funding and other insurance products and plan services

Background: As the City explores a self-funded medical insurance program, it is necessary to have a contract with an insurance broker to negotiate for the various types of insurance products the City desires.

In October, the City hired Merlino & Associates, Inc to undertake a feasibility study for both self-funded and fully funded insurance platforms. In January, a presentation was made to Council by Michael Berman of Merlino, discussing the results of that feasibility study. Based on the results, it appeared to be beneficial to the City to continue to explore self-funding in more depth. Council then authorized staff to explore self-funding. The next step was to contract with a broker. An RFQ was prepared and released in January. The City received proposals from fifteen brokers in February.

These fifteen proposals were reviewed by the City Manager, Assistant City Manager, and Human Resources Director. Based on the proposals, staff came up with a list of what we considered to be the top six candidates.

Ideally, staff would have conducted in person interviews with each of these six, however, the current pandemic situation did not allow that. The next option was video conferencing. Video interviews were conducted with each of those six brokers between March 25 and April 30. After the conclusion of the video interviews, references were checked with numerous other municipalities and broker clients.

The City Manager, Assistant City Manager and Human Resources Director met after the video conferences to determine which broker candidates appeared to be most compatible with the City's goals. Three brokers were selected for a second round of telephone interviews conducted on April 28. The RFQ for each of these three brokers can be found at:

https://www.dropbox.com/sh/p7rqoow1a9dhjcj/AADu_-iidb_R1ld7dSIFyFAqg?dl=0

Based on those interviews, consideration of the RFQ, and the initial interview, the top broker was MSI Benefits, 245 TownPark Drive, Suite 100, Kennesaw, Georgia 30144, based on their extensive experience with municipal governments, the scope of their services, and their outstanding recommendations from other similar municipalities

MSI Benefits, Inc, has over 36 years of experience in benefits consulting and insurance brokerage services. They are the consultant and servicing broker for 55 Georgia Counties, Cities, and Public Authorities including the City of Griffin, Spaulding County, City of McDonough, Town of Tyrone, and City of Stockbridge.

As the broker for Newnan, MSI will provide benefits consulting services to include developing a multi-year strategic plan for managing benefit costs, negotiation with insurance carriers, third party administrations,

and stop-loss carriers and assistance with plan design. Once plans are designed and contracted, MSI will assist with plan implementation by conducting Open Enrollment meetings and assisting and educating employees about plan selection. MSI will also assist the City with ongoing monthly new hire enrollment, as well as handling all employee's changes (adds, changes, etc.) as part of their ongoing service and support.

MSI will provide monthly or quarterly reports of plan utilization and will use all the City's data for recommending plan amendments and adjustments for the plan renewal.

This recommendation is to select a broker. If the City pursues self-funding of medical insurance, additional decisions will be presented to council for consideration including plan design, choice of network and third-party administrators, and stop-loss insurance plans. This does not obligate the City to pursue self-funding. The City may still choose to remain with GMA if that is the best financial decision for the City with MSI being able to work with GMA on our behalf.

Funding: All fees and commissions are paid directly to MSI from the incumbent insurance plan or Third Party Administrator.

Recommendation: Enter into agreement with MSI Benefits.

Previous Discussion with Council:

Discussion of Self-Funding during January 14, 2020 Council meeting with council authorizing the City to explore self -funding of medical insurance.

Responses to Proposal

Baldwin-Krystan-Sherman Partners

Karen Larkin
4994 Lower Roswell Road Suite 5
Marietta, GA 30068

Benalytics Consulting Group

John Uhas
2110 Newmarket Parkway, SE Suite 200
Marietta, GA 30069

FBMC Benefits Management

Richard Koontz
PO Box 406263
Atlanta, GA 30384

Gallagher

Kevin Scott, Keith Ohrstrom
1050 Crown Pointe Parkway, Suite 600
Atlanta, GA 30338

Higginbotham Insurance Services

Andrea Silva
15660N Dallas Parkway, Suite 700
Dallas, TX 75248

J. Smith Lanier/Marsh McLendon

Todd Browning
47 Postal Parkway
Newnan, GA 30263

Matrix Insurance/Hutchinson Traylor

Michael Stone, Kirby Arnall
77 Jefferson Parkway
Newnan, GA 30263

McGriff Insurance Services/BB&T

Stephen Ott, Joey Costa
301 College Street, Suite 208
Asheville, NC 28801

MSI Benefits Group

John Leggett, Matt Bidwell
245 TownPark Drive, Suite 100
Kennesaw, GA 30144

NFP/Shaw Hankins

Todd Hooper
351 Washington Ave NE#120
Marietta, GA 30060

Northwestern Benefit/One Digital

Jason Brady
3333 Riverwood Parkway, Suite 400
Atlanta, GA 30339

Pritchard & Jerdan

Rob Peters
950 E. Paces Ferry Rd, NE Ste 200
Atlanta, GA 30326

Relation Insurance Services

Todd Bryant
5825 Medlock Bridge Parkway
Johns Creek, GA 30022

The Benefit Company

John Hearn
Six Concourse Parkway, Suite 2750
Atlanta, GA 30328

VCG Benefits and HR Advisors

Leigh Schneider
3350 Riverwood Parkway, Suite 600
Atlanta, GA 30339

Brokers Interviewed

Baldwin-Krystan-Sherman Partners

Karen Larkin
4994 Lower Roswell Road Suite 5
Marietta, GA 30068

FBMC Benefits Management

Richard Koontz
PO Box 406263
Atlanta, GA 30384

***J. Smith Lanier/Marsh McLendon**

Todd Browning
47 Postal Parkway
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***MSI Benefits Group**

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245 TownPark Drive, Suite 100
Kennesaw, GA 30144

Northwestern Benefit/One Digital

Jason Brady
3333 Riverwood Parkway, Suite 400
Atlanta, GA 30339

***Relation Insurance Services**

Todd Bryant
5825 Medlock Bridge Parkway
Johns Creek, GA 30022

*Brokers Selected as Finalists

**PROFESSIONAL SERVICE AGREEMENT
FOR EMPLOYEE BENEFITS INSURANCE BROKERAGE SERVICES**

This Agreement is entered into as of the 1st day of July, 2020, by and between **the City of Newnan**, 25 LaGrange Street, Newnan, GA 30263 (hereinafter referred to as "**CON**") and **MSI Benefits Group, Inc.**, 245 TownPark Drive, Suite 100 Kennesaw, GA 30144 (hereinafter referred to as "**MSI**").

W I T N E S S E T H

WHEREAS CON has the authority to make contracts and to execute all instruments necessary or convenient, as well as the authority to employ such other experts, agents and employees as may be in CON's judgment necessary to carry on properly the business of CON; and

WHEREAS CON is desirous of obtaining the professional and expert MSI services required by the CON; and

WHEREAS, MSI has the knowledge, skill, experience, diligence and ability to provide or perform the Services for the benefit of the CON; and

WHEREAS, MSI and CON desire to enter into and conduct business under this Agreement as independent contractors and not as employees, agents of, partners with, or as a joint venture with each other.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CON and MSI hereby agree as follows:

1. **Services.** Subject to the terms and conditions of this Agreement, CON hereby engages MSI as an independent contractor to perform Services and MSI hereby accepts such engagement. Furthermore, MSI is authorized to contact any outside agency or administrator for the purpose of obtaining CON plan, benefit and eligibility data.

2. **Term and Termination.**

2.1. **Initial Term.** The "Term" of this Agreement will begin on **July 1, 2020** (hereinafter referred to as "Effective Date") and continue until **December 31, 2021** (hereinafter referred to as "Termination Date"), unless terminated earlier under the provisions of this Agreement.

2.2. **Renewals.** Thereafter, the Agreement may be renewed at the sole discretion of CON on a year to year basis; provided however that during any such renewal Term the project is completed or CON determines that the Project no longer requires the Services provided by MSI, then CON may terminate this Agreement without further obligation by providing the termination notice as set forth below. The terms and conditions of this Agreement shall apply during any renewals of the Term.

2.3. **Termination.**

2.3.1. **Termination for Convenience.** CON may at any time, and for any reason or without any reason or cause, terminate this Agreement by written notice to MSI specifying the termination date, without cause and irrespective of whether or not MSI is in default of any of its obligations hereunder. The effective date of termination shall not be earlier than seven days from the date of written notice. MSI shall be paid for approved services provided through the termination date.

2.3.2. **Termination for Cause.** In the event that any provisions of this Agreement are violated by MSI, CON may terminate this Agreement by serving written notice to MSI that it is in default and specifying the termination date of the Agreement. CON, in its sole discretion, may elect to grant a cure period, but it is not obligated to do so. In the event of such a termination, CON shall not have any further obligation whatsoever to MSI as of the effective date of the termination. In addition to the basis for termination set forth previously, CON may terminate this Agreement, in whole or in part, immediately, without notice, if: (a) CON deems that such termination is necessary to prevent or protect against fraud or otherwise protect the health, life, or property of CON, the State of Georgia or the general public; or (b) MSI is convicted of any crime or offense, fails or refuses to comply with the written policies or reasonable directives of the CON, is guilty of serious misconduct in connection with performance hereunder, or breaches any material provisions of this Agreement.

2.3.3. **Termination by MSI.** MSI may terminate this Agreement, with cause, upon 90 days written notice to CON.

3. **Compensation.** MSI Benefits Group does not request or accept fees directly from clients (exception being the Optional – ACA Reporting 1094/1095-C Service). All benefit plans include a pre-negotiated and transparent fee or standard-level commission that is paid directly to MSI by the in-force insurance carrier/TPA.
4. **Independent Contractor.** Both CON and MSI agree that MSI will act as an independent contractor in the performance of Services under this Agreement. Accordingly, MSI shall be responsible for payment of all taxes including Federal, State and local taxes arising out of MSI's activities in accordance with this Agreement, including by way of illustration but not limited to: Federal and State income tax, Social Security tax, Unemployment Insurance taxes, and any other taxes or business license fees as required. MSI acknowledges and agrees that MSI shall be responsible for and provide the appropriate insurance coverage for any injury of any nature suffered by Contractor or its employees that may occur in the performance of services under this Agreement.
5. **Warranty.** MSI hereby expressly warrants that the Services to be performed hereunder will be performed in a workmanlike manner, that all work assigned will be performed in a manner consistent with that level of care and skill ordinarily exercised by other providers of similar services under similar circumstances at the time Services are provided, and that MSI shall comply with CON's reasonable confidentiality and security requirements while on CON's premises. In addition, MSI represents and warrants that the Services will not violate or in any way infringe upon the rights of third parties, including proprietary information and non-disclosure rights, or any Intellectual Property rights. As used herein, "Intellectual Property" shall mean any and all know-how, inventions, patents, copyrights, models, designs, trademarks, trade secrets, test results, knowledge, techniques, discoveries, regulatory filings, or other information (whether or not patentable and whether or not in tangible or intangible form), and any other industrial or proprietary rights, and any documentation relating thereto, and any and all applications for any of the forgoing, whether or not registered as of the Effective Date or at any later date.
6. **Confidentiality.** MSI's employees, agents and subcontractors may have access to confidential data maintained by CON to the extent necessary to carry out the MSI's responsibilities under the Contract. MSI shall presume that all information received pursuant to the Contract that is not publicly available is confidential unless otherwise designated by CON. No reports, information or other material given to MSI by CON or prepared by MSI under this Contract shall be made available by MSI to any person not on the project team without the prior written approval of CON, unless otherwise required by law.

7. Insurance.

- 7.1. **Liability Insurance.** MSI understands that CON is not providing any liability insurance coverage under this Agreement. However, MSI is required to maintain liability coverage on MSI's behalf.

8. Drug-Free Work Place.

- 8.1. MSI is an entity other than an individual and it hereby certifies that a drug free work place will be provided for MSI's employees during the Term of this Agreement; and that MSI's agents, employees, subcontractors, or others working at the direction or on behalf of MSI shall not engage in the unlawful sale, distribution, dispensation, possession, or use of a controlled substance or marijuana during the performance of this Agreement.

- 8.3. MSI or this Agreement may be suspended, terminated, or debarred without further obligation on behalf of CON, if it is determined that:

8.3.1. MSI has made false certification hereinabove.

8.3.2. MSI has violated such certification by failure to carry out the requirements of Official Code of Georgia Annotated Section 50-24-3.

9. **Notices.** All notices, requests, or other communications (excluding invoices) hereunder shall be in writing and either transmitted via overnight courier, electronic mail, hand delivery or certified or registered mail, postage prepaid and return receipt requested to the parties at the following addresses. Notices will be deemed to have been given when received.

MSI Benefits Group, Inc.	City of Newnan
245 TownPark Drive, Suite 100	25 LaGrange Street
Kennesaw, GA 30144	Newnan, GA 30263
Attn: Les Szabolcsi, President	Attn:

10. **Waiver and Severability.** The waiver by either party of any breach of any provision contained in this Agreement shall not be deemed to be a waiver of such provision on any subsequent breach of the same or any other provision contained in this Agreement. Any such waiver must be in writing in order to be effective, and no such waiver or waivers shall serve to establish a course of performance between the parties contradictory to the terms hereof. All provisions of this Agreement are severable, and the unenforceability or invalidity of any of the provisions will not affect the validity or enforceability of the remaining provisions. The remaining provisions will be construed in such a manner as to carry out the full intention of the parties. Section titles or references used in this Agreement have no substantive meaning or content and are not a part of this Agreement.

11. **Assignment.** MSI shall not assign any of its rights under this Agreement, or delegate the performance of any of its duties hereunder, without the prior written consent of CON.

12. **Applicable Law and Venue.** This Agreement shall be governed by and interpreted in accordance with the laws of the State of Georgia, without regard to its conflict of laws principles. Any lawsuit or other action based on a claim arising from this Agreement shall be brought in the Superior Court of Coweta County, Georgia.

13. **Entire Agreement.** This Agreement, including all Exhibits and documents incorporated hereunder, constitutes the entire agreement between the parties with respect to the subject matter and supersedes any and all other prior and contemporaneous agreements and understandings between the parties, whether oral or written. No amendment to this Agreement shall be valid unless made in a writing of equal dignity and signed by both parties.

14. No representation, request, instruction, directive or order, made or given by any official of CON or of any agency of the State of Georgia, whether verbal or written, shall be effective to amend this Agreement or excuse or modify performance hereunder unless reduced to a formal amendment and executed as set forth above.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the Effective Date set forth above.

MSI Benefits Group, Inc.

By: _____

Name: **Les Szabolcsi** _____

Title: **President** _____

Date: _____

City of Newnan City Council

By: _____

Name: _____

Title: _____

Date: _____



City of Newnan, Georgia - Mayor and Council

Date: May 12, 2020

Agenda Item: Consideration of an Intergovernmental Agreement between the City of Newnan and the Newnan Urban Redevelopment Agency regarding the rehabilitation and sale of a house located at 100 East Washington Street

Prepared By: Tracy S. Dunnavant, Planning Director

Purpose: To consider an Intergovernmental Agreement between the City of Newnan and the Newnan Urban Redevelopment Agency (NURA) relating to the rehabilitation and sale of a house and land located at 100 East Washington Street

Background: In December of 2016, NURA approached the City Council about establishing a program that would allow the Agency to rehab and sell homes through a revolving fund. The goal of the program was to increase home ownership within NURA's area of influence. At that time, NURA asked the City to consider deeding the house and property located at 100 East Washington Street to them and loaning the funds needed to renovate the home. Upon selling the property, the loan would be repaid and the proceeds would be used to buy and renovate another home within NURA's boundary area.

Although Council appeared receptive to the program, they did not want to move forward with rehabilitating the house at 100 East Washington until the McIntosh Parkway extension work had been completed. Now that the construction work is done, NURA is asking the Council to reconsider their request and approve an intergovernmental agreement that will allow them to rehab the house and use the proceeds to start its housing program. This will allow the Agency to focus on true housing issues while furthering the City's goals of promoting home ownership and addressing substandard housing.

Funding: \$100,000 loan from Fund Balance

Recommendation: Staff recommends approving the Intergovernmental Agreement.

Previous Discussion with Council: December 13, 2016

**STATE OF GEORGIA
COUNTY OF COWETA**

**AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF NEWNAN,
GEORGIA AND THE CITY OF NEWNAN URBAN REDEVELOPMENT AGENCY
(HEREINAFTER "NURA"), RELATING TO THE REHABILITATION AND SALE OF A
HOUSE**

WHEREAS, the City of Newnan, Georgia (hereinafter ("City")) has determined that a house located at 100 East Washington Street (hereinafter "Property") which the City acquired as a part of the East Washington Street Improvement Project which was part of the McIntosh Parkway Roadway Project, is in need of rehabilitation and repairs due to deterioration prior to a possible sale of the Property to place the Property back upon the tax digest (hereinafter "Project"); and

WHEREAS, the City has determined that this Project should be undertaken by the NURA; and

WHEREAS, in consideration of NURA agreeing to undertake the Project, the City will convey the Property to the NURA by Limited Warranty Deed; and

WHEREAS, the City will provide a loan in the amount of \$100,000.00 to the NURA for the NURA to accomplish the necessary work to complete the Project with the NURA paying all costs thereof; and

WHEREAS, the NURA will be permitted to sell the Property after completion of the Project and retain the net proceeds after repayment of the outstanding balance of the loan amount to City to apply to future projects of a similar nature; and

WHEREAS, NURA has agreed to undertake the Project on behalf of the City; and

WHEREAS, the City and NURA find it in the best interest of the health, safety and welfare to enter into an agreement to construct this Project; and

WHEREAS, in consideration of the mutual benefits and consideration accruing to each of the parties hereto and for the use of and benefit of the citizens of the City of Newnan, which benefits are hereby expressly acknowledged, the City and NURA, as authorized by Art. IX, Sec. III, Para. I, of the Constitution of the State of Georgia, enter into this intergovernmental agreement for the following purposes; and

NOW, THEREFORE, the Parties hereto mutually agree as follows:

Section 1. Representations of the Parties. Each party hereto makes the following representations and warranties, which are specifically relied upon by all of the other parties as a basis for entering this Agreement:

- (a) The City is a municipal corporation as defined by statutory law and judicial interpretation that has validly adopted this Agreement at a

public meeting pursuant to the Open Meetings Act, O.C.G.A. §50-14-1, *et seq*; and

- (b) The NURA is a statutory agency as defined in O.C.G.A. §36-61-1 *et seq* and judicial interpretation created by the City Council of the City of Newnan by Ordinance No. 2010-6 dated April 3, 2010 that has validly adopted this Agreement at a public meeting pursuant to the Open Meetings Act, O.C.G.A. §50-14-1, *et seq*.

Section 2. Obligations of the Parties.

- (a) The City shall:

- deed the house to the Newnan Urban Redevelopment Agency (NURA) and loan it \$100,000.00 to undertake renovations.

- (b) The NURA shall:

- Engage an architect/engineer to evaluate and determine what renovations and repairs are needed to the Property and prepare plans and specifications as needed.
- Advertise and accept bid proposals for the project from Georgia Licensed Contractors;
- With concurrence from the City, award and enter into a contract with the bidder who offers the best combination of price and performance capabilities in the best interest of the City and NURA for the Project;
- Oversee and manage the Project;
- Verify, process, and make payment for completed and invoiced items of work;
- List the Property for Sale with a licensed Georgia Real Estate Agent and Brokerage firm and sell the Property at a market value;
- Will seek a variance for the front and side setbacks to make the house conforming and will file a minor plat application once the strip of land is purchased.
- Will ask the City Council to waive all fees pertaining to the variance, final plat, and building permits
- Upon completion of the work and sale of the property, NURA will repay the \$100,000.00 to the City and keep any

remaining proceeds to use as seed money to fund future construction or rehabilitation of single-family affordable homes.

- The Project will be managed by the Planning Director and the Building Official of the City of Newnan.

Section 3. Term of Agreement. The term of this Agreement shall commence upon execution and shall continue until the Project is complete or two (2) years from the date of execution, whichever event occurs first.

Section 4. Termination. This Agreement may be terminated at any time, with or without cause, by either party upon thirty (30) days written notice. If notice to terminate is give, the NURA shall pay the City all remaining funds not spent on the Project and recover the Property to the City for all costs incurred under this Agreement within forty five (45) days of the notice.

Section 5. Modification. The City and NURA may modify this Agreement only in writing by having a modification signed by all parties and adopted pursuant to the Open meetings Act, O.C.G.A. §50-14-1 *et seq.*

Section 6. Entire Agreement. this intergovernmental contract is a full and complete statement of the Agreement of the parties as to the subject matter hereof and has been authorized by proper action of the respective parties.

Section 7. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original and all of which together shall constitute the same instrument.

Section 8. Governing Law. This Agreement and all transactions contemplated 8ereby, shall be governed by, construed and enforced according to the laws of the State of Georgia.

Section 9. Severability. Should any provision of this Agreement or application thereof to any person or circumstance be held invalid or unenforceable, the remainder of this Agreement, or the application of such provision, to any person or circumstance, other than those to which it is held invalid or unenforceable, shall not be affected thereof, and each provision of this Agreement shall be valid and enforceable to the full extent permitted by law.

Section. 10. Notices. All notices, demands, or requests required or permitted to be given pursuant to this Agreement shall be in writing and shall be deemed to have been properly given or served and shall be effective on being deposited in the United States mail, postage prepaid and registered, or certified with return receipt requested to the addresses appearing on the executed page hereof, or when delivered by hand to the addresses shown below or when transmitted to any email address appearing below; provided, however, in those cases where a email address is stated on the execution page for any particular party, notice to such party must be given by email message to such number to be an effective notice hereunder.

- (a) City of Newnan Urban Redevelopment Agency-Planning Director
Tracy Dunnavant, 25 LaGrange Street, Newnan, Georgia 30263
tdunnavant@cityofnewnan.org
- (b) City of Newnan, City Manager, Cleatus Phillips, 25 LaGrange Street,
Newnan, Georgia 30263
cphillips@cityofnewnan.org

All notices shall be sent to the successors in office to any of the foregoing.

SO AGREED, this _____ day of _____, 20____.

CITY OF NEWNAN. GEORGIA
Acting by and through the Mayor
and Council

By: _____
Mayor

Attest: _____
Clerk (SEAL)

CITY OF NEWNAN URBAN
REDEVELOPMENT AGENCY

By: _____
Chairman

Attest: _____
Secretary (SEAL)

City Council Meeting

From: social@summergrovepoa.org

Sent: Tuesday, April 28, 2020 at 8:15 am

To: Libby Winn

Cc: Darcy Beardsley

Subject: Approval for posting of signs

Mayor and City Council,

Summergrove POA is requesting city approval for the posting of signs and/or banners at the entrances of our neighborhood on Lower Fayetteville Rd. The main entrance at Shenandoah and to the East Lake entrance, and the entrance to East Lake on Mary freeman on the following dates.

May 20-25 for Graduation

June 3-6 for Neighborhood Yard Sale

Sept 3-5 for Neighborhood Yard Sale

Motion to Enter into Executive Session

I move that we now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing

And that we, in open session, adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law.

Motion to Adopt Resolution after Adjourning Back into Regular Session

I move that we adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the council meeting was within the exceptions provided by O.C.G.A. §50-14-4(b).