



City Council Meeting & Public
Hearing
NOVEMBER 30, 2020

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
6:30 PM

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE TO THE FLAG**
- IV. **CONSENT AGENDA**
 - A. **Council Meeting Minutes (Meeting of 11/16/2020)**
 - B. **Alcoholic Beverage License Applications**
 - 1. PH-20-AB-16 HEG, LLC
d/b/a Courtyard by Marriott Alpharetta/Avalon
11700 Amber Park Drive
Alpharetta, GA 30009

Hotel
Consumption on Premises
Liquor, Beer, Wine & Sunday Sales

Owner: HEG, LLC
Registered Agent: Michael Sard
- V. **PUBLIC HEARING**
 - A. **PH-20-17 North Point Trail Feasibility Study**
Consideration of adoption of the North Point Area & Alpha Loop Trail Connectivity Feasibility Study.
- VI. **OLD BUSINESS**
 - A. **PH-20-16 Unified Development Code Text Amendments – Stormwater and Floodplain Management (2nd Reading)**
Consideration of text amendments to the Unified Development Code to amend regulations associated with stormwater and floodplain management.
- VII. **NEW BUSINESS**
 - A. **FY 21 Public Safety Headquarters and Station 81 Generator Replacement**
 - B. **FY 2021 Tree Planting and Landscape Improvements**
 - C. **Quint Aerial Ladder Fire Truck Acquisition**
(Replacement of Fire Engine #82 from active duty)
 - D. **Renewal of MOU with City of Johns Creek for Baseball, Softball & Lacrosse**
 - E. **Vulnerable Population Grant Program: Award Recommendation**

- VIII. PUBLIC COMMENT
- IX. REPORTS
- X. ADJOURNMENT



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: City Clerk

Submitted By:

Sponsored By:

Meeting Date: November 30, 2020

I. AGENDA ITEM TITLE: COUNCIL MEETING MINUTES (MEETING OF 11/16/2020)

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:

Council Meeting Minutes Draft 11-16-2020



City Council Meeting
November 16, 2020
Office of the City Clerk
CITY HALL 2 PARK PLAZA | 6:30 PM

This summary is provided as a convenience and service to the public, media, and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by Council, but not quoted or paraphrased. This document includes limited presentation by Council and invited speakers in summary form. This is not an official record of the Alpharetta City Council Meeting proceedings. Official Minutes are recorded and available for review.

I. CALL TO ORDER

- *Mayor Gilvin called the meeting to order at 6:30 p.m.*

II. ROLL CALL

- **Council Members**

- o Mayor Jim Gilvin
- o Mayor Pro Tem Donald F. Mitchell
- o Jason Binder
- o Ben Burnett
- o John Hipes
- o Dan Merkel
- o Karen Richard

- **Staff**

- o Bob Regus, City Administrator
- o Sam Thomas, City Attorney
- o James Drinkard, Asst. City Administrator
- o Erin Cobb, City Clerk
- o Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- o Kathi Cook, Director of Community Development
- o Pete Sewczwicz, Director of Public Works
- o John Robison, Director of Public Safety
- o Tom Harris, Director of Finance
- o Michael Woodman, Senior Planner
- o Brooke Lappin, Director of Court Services
- o Zach Truelove, Development Services Engineer/Stormwater

III. PLEDGE TO THE FLAG

IV. PRESENTATIONS & PROCLAMATIONS

A. Veterans Day Proclamation

B. National Native American Heritage Month Proclamation

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 11/2/2020)

- ❖ Council Member Merkel offered a motion to approve the consent agenda
 - The motion received a second from Council Member Burnett
 - The motion was approved (6-0); Mayor Pro Tem Mitchell abstained

VI. PUBLIC HEARING

A. CU-20-08 Peach Coffee Roasters/Henderson Commons

NOTE: This item has been deferred by the Applicant to the Planning Commission Meeting on Thursday, December 3, 2020 and will be neither heard nor considered at this meeting.

B. MP-20-05 Advanced Care Medical/3900 Brookside Parkway

- Senior Planner, Michael Woodman, came forward to present this item.
- Staff is recommending that Mayor and Council approve MP-20-05 Advance Care Medical/Brookside Master Plan, subject to the following conditions:
 1. Property shall be developed substantially in accordance with submitted plan prepared by CESO, dated 7/16/2020, except for modifications required to comply with the conditions below.
 2. Add 'Clinic' as a permitted use in Pod D of the Brookside Master Plan at 3900 Brookside Parkway.
 3. 'Clinic' use shall be limited to an urgent care clinic only.
 4. Exterior building modifications shall require final approval by the DRB. Existing brick shall remain and shall not be painted, primary colors shall not be visible on the exterior of the building and glass shall not extend to the ground.
 5. Prior to a Certificate of Occupancy, developer shall address drainage issues resulting from a clogged inlet at the southwest corner of the property, as approval by Staff.
 6. Pedestrian access shall be provided from the building to an adjacent public sidewalk, including striping through the parking lot, as approved by Staff.
 7. If necessary, additional right-of-way shall be provided along Old Milton Parkway and Brookside Parkway for future sidewalk enhancements and roadway improvements. Additional right-of-way shall not impact existing parking and landscaping on the property.

8. Drive-through facilities shall be completely removed, including drive-through window and impervious areas associated with the drive-through lane. Former drive-through area shall be landscaped with trees, shrubs, and ground cover, as approved by DRB.
 9. Developer shall assess and replace dead, dying or missing required landscape material, including missing trees in the landscape strip along Old Milton Parkway and at the corner of Old Milton Parkway and Brookside Parkway. Corner of Brookside Parkway and Old Milton Parkway shall be heavily landscaped with ornamental plantings.
 10. Developer shall provide the required bicycle racks.
 11. Building, site, and landscape plans shall be subject to review and approval by the DRB.
- This item was heard at the 11/5/2020 Planning Commission meeting. Staff recommended approval subject to eleven (11) conditions. There were no public comments. After discussion, Planning Commission recommended approval subject to staff's recommended conditions. Vote 7-0
 - The applicant, American Development Partners, is requesting an amendment to the Brookside Master Plan to add 'Clinic' as a permitted use in Pod D. The applicant proposes to convert the former Arby's restaurant with drive-through to an urgent care clinic for Advance Care Medical on a 1.05-acre site. The subject property is located at 3900 Brookside Parkway at the southwest corner of Old Milton Parkway and Brookside Parkway.
 - The submitted request, if approved, would allow for the former Arby's restaurant with drive-through to be converted to an urgent care clinic for Advance Care Medical on a 1.05-acre site. 2 A master plan amendment to add 'Clinic' as a permitted use in Brookside Pod D is required to allow the proposed business. The subject property is located at 3900 Brookside Parkway at the southwest corner of Old Milton Parkway and Brookside Parkway.
 - The property is zoned C-2 (General Commercial) and subject to the Brookside Master Plan, Pod D. Surrounding properties are zoned C-2 to the west, south and east. The property to the north (across Old Milton Parkway) is Pennebrooke Subdivision, which is zoned R-10 (Dwelling, 'ForSale', Residential, Min. 10,000 SF Lots). Tires Plus and Bruster's Ice Cream are located to the west, Zyka restaurant is located to the south and Chevron is located to the east. The Comprehensive Land Use Plan designation of the property is 'Commercial', which allows the proposed use.
 - The Brookside Master Plan was approved in 1997 for a 132-acre planned development, including office and retail uses. Pod D has a land use designation of 'Commercial', which allows a variety of commercial and office uses. 'Clinic' is a permitted use in the C-2 district, as well as in Brookside Master Plan Pods A, B and C. A medical office is a permitted use in Pod D; however, 'Clinic' is not listed as a permitted use in Pod D. Approval history of the Brookside Master Plan and amendments is provided in the table below.

Brookside Master Plan History

File #	Project Name	Pod	Requested Change	Outcome	Date
MP-12-03 / V-12-07	Tassa Caribbean Express	C	Add Restaurant as a permitted use	Approved	4/23/12
MP-99-08	The Source Fitness	D	Add Athletic Facility as a permitted use	Approved	11/22/99
MP-97-06	Brookside Master Plan		Original Master Plan	Approved	6/23/97

- The applicant's site plan depicts re-use of the former Arby's fast-food restaurant, which consists of a 1-story, 3,390 square foot building with drive-through and surface parking. Drive-through facilities are proposed to be removed and some

parking spaces will be re-striped to comply with current ADA standards. Additional greenspace will be provided because of removal of the drive-through facilities. Access to the site will continue from Brookside Parkway.

- The Unified Development Code (UDC) requires one (1) parking space per 200 square feet for a medical office, of which 17 parking spaces are required for the proposed use. A total of 67 parking spaces will remain on the property after re-striping. The landscape strip along Brookside Parkway appears to follow the UDC planting requirements; however, the landscape strip along Old Milton Parkway and at the corner of Old Milton Parkway and Brookside Parkway is lacking required trees. If approved, staff recommends conditions requiring the developer to assess and replace any dead, dying or missing required landscape material and to address an existing drainage issue resulting from a clogged inlet at the southwest corner of the property.
- The applicant submitted a trip generation report. As shown in the table below, the proposed 'Clinic' use would generate a total of 65 weekday daily trips, or 734 less trips than the previous 'Restaurant w/ Drive Through' use.

Table 1
Trip Generation Summary

ITE LUC	Use	Weekday Daily Trips		AM Peak Hr		PM Peak Hr	
		In	Out	In	Out	In	Out
Existing (3,090 s.f.)							
934	Fast Food w/Drive Thru Restaurant	799	799	70	66	58	53
Proposed (3,090 s.f.)							
630	Medical Clinic	65	65	10	3	3	8
Difference – Existing to Proposed		-734	-734	-60	-63	-55	-45
Percent Difference - Existing to Proposed		-92%	-92%	-86%	-95%	-95%	-85%

- The Planning Commission and the City Council shall consider the following standards in considering a rezoning application, giving due weight or priority to those factors particularly appropriate to the circumstances of each application:

- Whether the zoning proposal will permit a use that is suitable in view of the zoning use and development of adjacent and nearby property.

Response: The proposed use is consistent with adjacent and nearby properties, which are developed with commercial and office uses.

- Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Response: The proposal would not adversely affect the existing use or usability of adjacent or nearby properties since those properties are developed with commercial and office uses.

- Whether the zoning proposal will adversely affect the natural environment.

Response: Not applicable, the applicant proposes to utilize an existing building.

- Whether there are substantial reasons why the property cannot or should not be used as currently zoned.

Response: The current zoning of the property is C-2 (General Commercial), which allows 'Clinic' by-right. However, Brookside Master Plan Pod D allows a medical office, but does not list 'Clinic' in the list of permitted uses. Since the UDC distinguishes between a 'Medical Office' and a 'Clinic', a master plan amendment is required to add the use to Pod D.

- e. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of public facilities or services, including but not limited to existing streets and transportation facilities, schools, water or sewer utilities, and police or fire protection.

Response: The proposed use would not result in significant impacts on public facilities and services. The proposed 'Clinic' use would generate 734 fewer weekday daily trips than the previous restaurant with drive-through use.

- f. Whether the zoning proposal is supported by new or changing conditions not anticipated or reflected in the existing zoning on the property.

Response: Not applicable.

- g. Whether the zoning proposal reflects a reasonable balance between the promotion of the public health, safety, morality, or general welfare against the right to unrestricted use of property.

Response: The master plan amendment reflects a reasonable balance. The current zoning of the property is C-2 (General Commercial), which allows 'Clinic' by-right. However, Brookside Master Plan Pod D allows a medical office, but does not list 'Clinic' in the list of permitted uses. Since the UDC distinguishes between a 'Medical Office' and a 'Clinic', a master plan amendment is required to add the use to Pod D.

- h. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Response: The current zoning of the property is C-2 (General Commercial), which allows 'Clinic' by-right. However, Brookside Master Plan Pod D allows a medical office, but does not list 'Clinic' in the list of permitted uses. Since the UDC distinguishes between a 'Medical Office' and a 'Clinic', a master plan amendment is required to add the use to Pod D.

- i. The extent to which the zoning proposal is consistent with the Comprehensive Plan.

Response: The proposal is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Commercial'.

- Staff has reviewed the proposal and finds that it can generally support the request for master plan amendment. The request is compatible with properties in the vicinity, which are developed with 'Office' and 'Commercial' uses. While 'Clinic' is a permitted use in the C-2 zoning district, it is not listed as a permitted use in the Brookside Master Plan. The proposed use would represent a significant reduction in weekday daily trips generated from the property when compared to the previous use of the property as a fast-food restaurant with drive-through. If approved, conditions are recommended limiting the use to an urgent care clinic only.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.
- The CZIM was held on October 14, 2020. There were no public comments.
- CESO Engineering Manager, Matt Regenold, 216 Centerview Drive, Suite 150, Brentwood, TN 37027, came forward to speak on behalf of this application.

Public Comment

- No Public Comment

- ❖ Council Member Richard offered a motion to approve MP-20-05 Advance Care Medical/Brookside Master Plan, subject to the following conditions:

1. Property shall be developed substantially in accordance with submitted plan prepared by CESO, dated 7/16/2020, except for modifications required to comply with the conditions below. If any monument sign is needed it will be located in northwest corner rather than the northeast corner.
2. Add 'Clinic' as a permitted use in Pod D of the Brookside Master Plan at 3900 Brookside Parkway.
3. 'Clinic' use shall be limited to an urgent care clinic only. Urgent care clinic shall be defined as medical care provided for illnesses or injuries which require prompt attention but are typically not of such seriousness as to require the services of an emergency room.
4. Exterior building modifications shall require final approval by the DRB. Existing brick shall remain and shall not be painted, primary colors shall not be visible on the exterior of the building and glass shall not extend to the ground.
5. Prior to a Certificate of Occupancy, developer shall address drainage issues resulting from a clogged inlet at the southwest corner of the property, as approval by Staff.
6. Pedestrian access shall be provided from the building to an adjacent public sidewalk, including striping through the parking lot, as approved by Staff.
7. If necessary, additional right-of-way shall be provided along Old Milton Parkway and Brookside Parkway for future sidewalk enhancements and roadway improvements. Additional right-of-way shall not impact existing parking and landscaping on the property.
8. Drive-through facilities shall be completely removed, including drive-through window and impervious areas associated with the drive-through lane. Former drive-through area shall be landscaped with trees, shrubs, and ground cover, as approved by DRB.
9. Developer shall assess and replace dead, dying or missing required landscape material, including missing trees in the landscape strip along Old Milton Parkway and at the corner of Old Milton Parkway and Brookside Parkway. Corner of Brookside Parkway and Old Milton Parkway shall be heavily landscaped with ornamental plantings.
10. Developer shall provide the required bicycle racks.
11. Building, site, and landscape plans shall be subject to review and approval by the DRB.
12. Developer shall work with staff to replace some of the excess parking with greenspace. Replacement of parking with greenspace shall not require a land disturbance permit.

- The motion received a second from Council Member Merkel
- The motion was approved unanimously (7-0)

C. PH-20-14 Unified Development Code Text Amendments – Updates to International Building Code and Fire Code References

- Senior Planner, Michael Woodman, came forward to present this item.
- Staff is recommending that Mayor and Council approve text amendments to the Unified Development Code and Code of Ordinances related to references to Building Codes.
- This item was heard at the 11/5/2020 Planning Commission meeting. Staff recommended approval. There were no public comments. After discussion, Planning Commission recommended approval. Vote 7-0
- Consideration of text amendments to Code of Ordinances Section 8-29 Building codes adopted, to replace specific references to various building codes with references to the City's various building permitting procedures documents. Consideration of text amendments to Unified Development Code (UDC) Subsection 2.9.5(B)(1) Building and Construction Code Exemptions, to replace specific references to the International Building Code and International Fire Code with a reference to Code of Ordinances Section 8-29. The purpose of the text amendments is to avoid updating the UDC and Code of Ordinances every time Building Codes are updated.
- Council Member Hipes recommended that the language used in our internal city procedures document be added to the City Code.
- City Attorney, Sam Thomas, read the ordinance aloud.

Public Comment

- No Public Comment
- ❖ Council Member Richard offered a motion to approve PH-20-14 Unified Development Code Text Amendments – Updates to International Building Code and Fire Code References and the ordinance as presented
 - The motion received a second from Council Member Hipes
 - The motion was approved unanimously (7-0)

D. PH-20-16 Unified Development Code Text Amendments – Stormwater and Floodplain Management

- Development Services Engineer/Stormwater, Zach Truelove, came forward to present this item.
- Staff is recommending that Mayor and Council approve amendments to the Unified Development Code as it relates to Stormwater and Floodplain Management.
- In 2001 the Georgia General Assembly created the Metropolitan North Georgia Water Planning District (MNGWPD) to develop comprehensive regional and watershed-specific water resource management plans to be implemented by local governments. In December 2019, the MNGWPD board approved new model stormwater management ordinances for compliance with the latest Georgia Environmental Protection Division (EPD) Municipal Separate Storm Sewer System (MS4) Permits. Local governments are required to adopt these changes by December 10, 2020.

- Proposed amendments include:
 - o Reorganization of Section 3.3.1-3.3.14 to match the model ordinances provided by MNGWPD.
 - o Updated definitions.
 - o Renaming the Alpharetta Stormwater Management Manual to the Alpharetta Stormwater Policy Handbook.
 - o Regulations added to projects replacing 5,000 sf or more impervious (to meet state permit minimum standards).
 - o Exemption added for installation or modifications to existing structures for the purpose of providing ADA requirements.
- City Attorney, Sam Thomas, read the ordinance aloud.

Public Comment

- No Public Comment
- ❖ Council Member Richard offered a motion to approve PH-20-16 Unified Development Code Text Amendments as it relates to Stormwater and Floodplain Management and the ordinance as presented
 - The motion received a second from Mayor Pro Tem Mitchell
 - The motion was approved unanimously (7-0)

VII. OLD BUSINESS

A. PH-20-12 Farmhouse Settlement Historic Designation (2nd Reading)

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Mayor and Council approve PH-20-12 Farmhouse Settlement Historic Designation and the ordinance as presented.
- This item was heard at the 10/21/2020 Historic Preservation Commission meeting. Staff recommended approval. There were no public comments. After discussion, Historic Preservation Commission recommended approval. Vote 5-0
- The City in conjunction with the Recreation and Parks Department is requesting that the Farmhouse Settlement property be added to APPENDIX B - Historic Resources Inventory – Designated Historic Buildings List. The subject property is located at 0 Morris Rd and is legally described as being located at the northeast corner of Georgia 400 and Old Milton Parkway. The property was deeded to the City in on October 23, 2019 and recorded in the Office of the Clerk of Superior Court on December 19, 2019.
- The submitted request, if approved, will allow the City to designate the property as Historic per the Historic Preservation Ordinance. Zoning Condition # 19 associated with file # Z-12-02/CLUP-12-03/V-12-16 QuikTrip required that the historic farmhouse property be donated to the City. The property was deeded to the City in on October 23, 2019 and recorded in the Office of the Clerk of Superior Court on December 19, 2019.
- “The applicant and the City agree on the importance of preserving the historic farmhouse property located along tributary #5. The applicant acknowledges the city’s desire to have the farm house property donated to the city and agrees to

work with the city in good faith to facilitate the donation, including public access and shared parking at the site as mutually agreed upon. In consideration of the land donation, the city agrees to provide the applicant with Impact fee credits equal to the value of the land donated. Any donated land shall be included in future development density calculations. Such donations shall take place no later than the issuance of a land disturbance permit on the OP property.”

- According to research by the Alpharetta & Old Milton Historical Society, the settlement at Farmhouse predates the founding of Old Milton County and the City of Alpharetta by at least 30 years. Early settlers were living in Indian Territory. Big Creek Baptist Church was chartered there in 1828, ten years before the Trail of Tears when the Cherokee Indians were removed from the area. In the early 1830’s there was an operating water mill on Martin Creek, near what is now the northeast 2 corner Ga 400 and Old Milton Parkway.
- A major road for the time, ran beside the mill site through the narrow valley on the east side of Burnett Mountain (currently Preston Ridge). The road connected Lebanon, near what would become Roswell, and Suwanee then on to Lawrenceville. The Farmhouse Community was located near an important trade route that ran from Lebanon Community, near Roswell, into Forsyth County. The Farmhouse Community’s center was located west of the area later developed as Preston Ridge and approximately 1.7 miles east of the current Alpharetta City Hall. Farmhouse Community was a thriving commercial center between 1834-1858. At various times a gristmill, sawmill, cotton gin, post office and general store were in operation here.
- Several of The City of Alpharetta’s founding families are associated with this property. It is believed that Hiram Trammell built and lived in a cabin there as well as built the dam and water mill. The dam was intact until 1980. “Slick Rock” was a popular place for swimming in the community. Islam Teasley was the postmaster for the post office that was established in 1853. Five years later, the post office was relocated to the new town of Alpharetta with Oliver P. Skelton as postmaster. In 1908, the family of Clark & Ann Burnett were photographed at their family home on Burnett’s Mountain (currently Preston Ridge)
- The City has future to construct a Farmhouse Community Heritage Park to commemorate the property as a historic site.
- The City of Alpharetta Unified Development Code Section 2.94 B of the Historic Preservation Incentive Zoning Ordinance outlines the criteria for Historic Designation. The Ordinance specifically states; In order to be designated a historic property, the property must be an individual building, structure or parcel of land that meets the following criteria:
 - a. Is of historic, cultural, aesthetic, or architectural significance to the City, the region, the State, or the nation; or

Response: The Farmhouse Settlement is historically and culturally significant as the first settlement for the City of Alpharetta.
 - b. Possesses historic integrity (in terms of its location, design, setting, materials, workmanship, feeling, and association) for all periods related to the significance of the property; and

Response: The property is of historical significance as an early settlement in Indian territory that predates the founding of Old Milton County and the City of Alpharetta.
 - c. Is deemed worthy of preservation (and the benefits available due to such status) following reasons:
 - i. It is an outstanding example of a building representative of its era and over 75 years old.

Response: The Farmhouse Community was a thriving commercial center between 1834 and 1858. During that time a gristmill, sawmill, cotton gin, post office and general store operated there. Big Creek 3 Baptist Church was founded there in 1828 before the Trail of Tears when the Cherokee Indians were removed from the area. The Community was located near an important trade route.

- ii. It is one of the few remaining examples of a past architectural style or type and over 75 years old; or

Response: The property is approximately 190 years old.

- iii. It is a place associated with an event or person(s) of historic or cultural significance to the City, the region, the State, or the nation and over 75 years old.

Response: This property possesses historic significance and association as the original settlement for the City of Alpharetta. The settlement predates the founding of Old Milton County and the City of Alpharetta by at least 30 years. There are future plans to build a Community Heritage Park to commemorate the Settlement.

- City Staff has reviewed the application and finds that it can generally support the request to add the property to APPENDIX B – Historic Resources Inventory- Designated Historic Buildings as per the Historic Preservation Ordinance. The Alpharetta & Milton Historical Society also support the historic designation due to the property's historic significance as well as the fact that it is 190 years old.
- The City notified property owners within 500' regarding the Applicant's intent to designate the property. There were no comments received.
- City Attorney, Sam Thomas, read the ordinance aloud.

Public Comment

- No Public Comment
- ❖ Council Member Merkel offered a motion to approve PH-20-12 Farmhouse Settlement Historic Designation and the ordinance as presented
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

VIII. NEW BUSINESS

A. GA 400 Express Lane IGA with GDOT

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve the IGA with the Georgia Department of Transportation for Improvements to Kimball Bridge Road, Webb Bridge Road, and Tradewinds at SR 400 Express Lanes, in an amount totaling \$4.84M for the cost associated with the bridge aesthetics, and authorize the Mayor to execute all necessary documents.
- The Georgia Department of Transportation (GDOT) has started their procurement process for construction of the GA 400 Express Lanes (EL) project from the North Springs MARTA Station to north of McFarland Road. Over the past several months the City has been working with Kimley Horn on the aesthetic elements of the three Bridges over GA 400, Kimball Bridge, Webb Bridge, and Tradewinds. Additionally,

the City and GDOT have been working together regarding the construction cost associated with the aesthetic treatments.

- The GA-400 EL project is a Design Build Finance Maintain (DBFM) project and GDOT's process for this type of project is for GDOT and the local Agency to execute an Intergovernmental Agreement (IGA) acknowledging and agreeing to the basic scope of work and the associated cost between the local and GDOT. Regarding this specific project, GDOT and the City are agreeing the City will be funding the aesthetic elements of the three bridges as per the designs previously approved by Mayor and Council. Additionally, GDOT is agreeing to widen both Webb Bridge (WBR) and Kimball Bridge Road (KBR) bridges from 2 lanes to 4 lanes. The Tradewinds Bridge will have a lane in each direction as well as turning lanes as one approaches the entrance lanes to the Express Lanes. All three bridges will have sidewalks on both sides of the bridges. Outside of the funds the City will provide to GDOT for the aesthetic treatments of the bridges, the City is also agreeing to the maintenance responsibilities of landscape and maintenance of the aesthetic elements of the bridges.
- The bridge aesthetics comes to a total cost of \$4,840,000.00. Per the attached IGA, the City will fund its contribution through 7 equal annual payments, starting no later than May 30, 2021. Though GDOT marked up the section regarding the City reviewing and approving the aesthetic submittals, GDOT states in exhibit B, the design/build/maintain developer is responsible for developing mock-ups for review and approval. The City's consultant reviewed the IGA and is comfortable with the verbiage and notes in the various exhibits the City will receive a quality product equal to Encore aesthetics.
- GDOT has shortlisted 3 design/build/maintain teams for the project. Execution of the IGA will enable GDOT to add this information to the RFP. The tentative schedule for the project is as follows: Final RFP will be issued on 2/2/2021; RFP's are due 4/13/2021; Tentative award date in summer 2021; Start of construction is anticipated to start no later than the first quarter of 2022.

Public Comment

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to approve the IGA with the Georgia Department of Transportation for Improvements to Kimball Bridge Road, Webb Bridge Road, and Tradewinds at SR 400 Express Lanes, in an amount not to exceed \$4.84M for the cost associated with the bridge aesthetics, and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

B. Project Management Services: North Point Streetscape LCI

- Director of Community Development, Kathi Cook, and Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve the Atkins North America Inc. proposal in the amount of \$78,500 for Phase I (Concept Phase) project management services for the North Point Streetscape LCI project and authorize the Mayor to execute all necessary documents.
- The City was recently awarded federal funding for the design phase of the North Point Parkway Streetscape project. Projects, such as this project, funded under the

Federal-aid highway program (FAHP) must follow the regulations within 23 CFR 172 (Code of Federal Regulations), which prescribes the requirements for the procurement, management, and administration of engineering and design related services under 23 U.S.C. 112 (United States Code) and as supplemented by the Uniform Administrative Requirements For Federal Awards rule.

- Components of this community focused project may differ slightly from the standard GDOT solutions, which may trigger a GDOT design variance process requiring extra studies, time, and negotiations with various GDOT personnel. City staff has limited experience with GDOT procedures and design project oversight on projects required to follow 23 CFR 172.
- Following the Project Management process being used for recent TSPLOST and Bond Projects, staff requested a task order proposal from the City's current on-call consultant for Project Management Services, Atkins. Staff have reviewed the scope of the task order proposal (Concept Phase) and believe the proposed cost of \$78,500 is reasonable and will help ensure compliance with the federal regulations and required documentation. Adkins will be paid based on hours worked according to the billable rates as agreed in the current on-call contract.
- This will be a multi-phase design effort potentially spanning several years depending upon the scale of the environmental process. This initial phase is intended to get us to if not through the draft concept plan and report (refer the attachment). Once the final scope of the project is detailed, additional task orders will be required for preliminary engineering, right-of-way, and final design.

Public Comment

- No Public Comment
- ❖ Council Member Richard offered a motion to approve the Atkins North America Inc. proposal in the amount not to exceed \$78,500 for Phase I (Concept Phase) project management services for the North Point Streetscape LCI project and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

C. Scanning of Closed Court Cases

- Director of Court Services, Brooke Lappin, came forward to present this item.
- Staff is recommending that Mayor and Council approve funding for the scanning of closed court case files in an amount not to exceed \$39,600.00 and authorize the Mayor to execute all necessary documents.
- Alpharetta Municipal Court has begun the process of moving towards a paperless court. Data from the closed cases that are still within the 10-year retention schedule will need to be in a searchable format in order for the Court to move away from the current software.
- There are currently 200 boxes of archived case files in storage with Georgia Records Management (GRM) and an additional 200 boxes worth of files on site in the Crabapple facility. The Court must respond to all Open Records requests per the Open Records Act. If the file is not on-site, the court must request the file to be transported to the court by GRM. There is a \$27.27 fee to have a box delivered to the court and an additional \$27.27 to return the box to storage.

- The City of Alpharetta has a current contract with Advanced Data Solutions to outsource all large scanning projects. The Court is requesting the quoted amount of \$39,600.00 to scan the estimated 400 boxes of closed case files. The scanned files will be saved in a format that will be easily searchable by the Court Clerks. The Court will be able to respond to all requests in a timelier manner
- Once the Court has access to the archived cases, we will be able to move forward with the transition to the Ecourt case management system. This is an internet base platform that will allow the court to move away from physical files. All documents will be scanned once filed with the Court and shredded upon completion. This will reduce the space needed to store closed cases and will allow immediate access to all pending cases.

Public Comment

- No Public Comment
- ❖ Council Member Hipes offered a motion to approve funding for the scanning of closed court case files in an amount not to exceed \$39,600 and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

D. Vulnerable Population Grant Program: Award Recommendation

- **Council Member Hipes recused himself from this item.**
- Director of Finance, Tom Harris, came forward to present this item.
- Staff is recommending that Mayor and Council approve the award of Alpharetta Vulnerable Population Grant Funds as presented and authorize the Mayor to execute all necessary documents.
- The City of Alpharetta created its Vulnerable Population Grant Program (VPGP) for the purpose of assisting Alpharetta families and residents who have suffered significant financial hardship due to the COVID-19 pandemic.
- Because the City lacks established support programs, processes, and experience to provide such support in a direct manner, the VPGP was designed to provide funding to established not-for-profit agencies offering established programs that serve Alpharetta residents and which programs have experienced increased capacity demands due to the pandemic. Specific services on which the VPGP was created to support include overdue rent and mortgage assistance; utility assistance; food and nutrition; childcare; distance learning support; or other unforeseen financial/ emergency needs of the community. It may also focus on providing group community services such as food kitchens or pantries for the same population as mentioned above and/or may also focus on organizations that provide mental health services for vulnerable individuals.
- An initial call for applications under the Alpharetta Vulnerable Population Grant Program was issued on October 20, 2020, and the City received a total of nine applications from seven not-for-profit agencies. Of the applications received, all but one of the applications was consistent with the mission, purpose, and target services of the VPGP.

ORGANIZATION	APPLICATION SERVICE CATEGORY
Fulton Education Foundation	Housing / Utility / Food Security / Mental Health
Lionheart School	Distance Learning Support / Emergency Financial Needs
North Fulton Community Charities	Housing / Financial Assistance / Food Security
North Metro Miracle League	Food Security / Emergency Financial Assistance
St. Vincent de Paul	Food Security / Housing / Utilities
Summit Counseling	Mental Health

- Eligible applications were reviewed by a staff committee tasked with reviewing all applications for consistency with the program purpose and intent, ability and efficiency of the applicant to deliver specified services / programs, and delivery of programs and services to residents of Alpharetta. The committee was further tasked with bringing forward for consideration by the Mayor and City Council recommendations on award and allocation of funding within the limits of the funding designated for the Alpharetta Vulnerable Population Grant Program.
- Following this review, the committee developed the following recommendations:
 1. The three applications submitted by St. Vincent de Paul should be considered as a single application because it is for the provision of the same types of services through three physical locations. As such, the committee believes it more appropriate to address the application as a single request and require St. Vincent de Paul to allocate any awarded funding across the three physical locations as needed within the defined scope and intent of the VPGP.
 2. That the application submitted by North Metro Miracle League is incomplete and cannot be fully considered at this time. Staff will continue to work with the organization to obtain necessary documents and will advance a recommendation at a later date.
 3. That funding be awarded to the six eligible agencies as follows:
 - o Fulton Education Foundation \$ 50,000
 - o Lionheart School \$ 25,000
 - o North Fulton Community Charities \$ 50,000
 - o St. Vincent de Paul \$ 50,000
 - o Summit Counseling \$ 50,000
- The total value of the recommended awards is \$225,000. If Mayor and Council approve the recommendation, a balance of \$55,000 would be remaining for future award.
- For any awards approved by Mayor and Council, a grant agreement would be executed between the City and the respective agency. The agreement defines the scope of the award, use of funds, and reporting requirements.

Public Comment

- No Public Comment
- ❖ Council Member Binder offered a motion to approve the award of Alpharetta Vulnerable Population Grant Funds as presented, not to exceed \$225,000 and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Richard
 - The motion was approved (5-1); Council Member Burnett voting in opposition and Council Member Hipes was recused from this item

IX. WORKSHOP

A. Alpha Loop Feasibility Study

- Director of Community Development, Kathi Cook, came forward to present this item and introduced Principal Landscape Architect at MKSK, Darren Meyer.
- Mr. Meyer provided an update on the effort to connect the Alpha Loop Trail to the North Point District and the Big Creek Greenway.
- This item was presented for City Council discussion and information purposes. No vote or formal action is requested at this time.

B. UDC Text Amendment North Point Overlay

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff discussed the consideration of amendments to the North Point Overlay boundaries and priority areas and requested input from Council.
- This item was presented for City Council discussion and information purposes. No vote or formal action is requested at this time.

C. Park Rules Ordinance Update **NOTE: This item has been deferred by Staff and will be heard at a later date**

X. PUBLIC COMMENT

- Judah Jackson, 11175 Ciscero Drive, Alpharetta, GA 30022 came forward to introduce his company, Life Map, which produces 3D interactive models for life safety.

XI. REPORTS

- Mayor Pro Tem Mitchell appointed Matthew Khodayari as his appointee to the Cultural Arts Commission
- Council Member Hipes congratulated Council Member Binder on his birthday this Thursday.

- Council Member Richard announced that Alpharetta was awarded the “Visionary Planning Award” by the ARC.
- Mayor Gilvin recommended that the City update the Charter to include an ordinance that would allow council members to attend Council Meetings virtually. Additionally, Mayor Gilvin wished everyone a Happy Thanksgiving.

XII. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 8:34 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Erin Cobb".

Erin Cobb, City Clerk



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Administration

Submitted By:

Sponsored By:

Meeting Date: November 30, 2020

I. AGENDA ITEM TITLE: ALCOHOLIC BEVERAGE LICENSE APPLICATIONS

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: City Clerk

Submitted By:

Sponsored By:

Meeting Date: November 30, 2020

-
- I. AGENDA ITEM TITLE:** PH-20-AB-16 HEG, LLC
D/B/A COURTYARD BY MARRIOTT ALPHARETTA/AVALON
11700 AMBER PARK DRIVE
ALPHARETTA, GA 30009

HOTEL
CONSUMPTION ON PREMISES
LIQUOR, BEER, WINE & SUNDAY SALES

OWNER: HEG, LLC
REGISTERED AGENT: MICHAEL SARD

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Courtyard by Marriott PH minutes



**CITY OF ALPHARETTA
PUBLIC HEARING
LIQUOR LICENSE**

DATE: November 19, 2020
TIME: 2:00 P.M.
LOCATION: <https://zoom.us>

Official Minutes

The public is advised the following minutes are not a verbatim transcription of business presented at the Public Hearing of the date shown but are a synopsis of pertinent information. The public is further advised the tapes recorded at said meeting are a matter of public record and are available to be heard at the City of Alpharetta Clerk's office during normal business hours.

I. CALL TO ORDER: City Attorney, Sam Thomas, called the meeting to order at 2:00 P.M.

II. LICENSE APPLICATIONS:

1. PH-20-AB-16 **HEG, LLC**
d/b/a Courtyard by Marriott Alpharetta/Avalon
11700 Amber Park Drive
Alpharetta, GA 30009

Hotel
Consumption on Premises
Liquor, Beer, Wine & Sunday Sales

Owners: HEG, LLC
Registered Agent: Michael Sard

The applicant representing HEG, LLC, Sherwin Reguyal of 4883 Brussel Road C4, Atlanta, GA 30342 was on the call. Dana Resnick of Sard & Leff, Inc. attorney for HEG, LLC was also on the call. Brooke Stall, Courtyard by Marriott's General Manager at 11700 Amber Park Drive, Alpharetta, GA 30009 was also on the call.

Mr. Thomas confirmed with the applicant that this is a change of management and that the Courtyard by Marriott Alpharetta/Avalon has had an alcohol license for some time. He reminded the applicant to update their State License and to continue to have training in place for staff serving alcohol. Ms. Resnick stated that

the license name is being placed in a new management name as part of internal restructuring. Staff is remaining the same as is the operations of the hotel.

Public Comment: No Public Comment

Mr. Thomas stated that he is recommending approval of the alcohol license and it will appear on the Consent Agenda at the City Council Meeting scheduled for Monday, November 30, 2020 at 6:30 P.M. Due to COVID safety concerns, the applicant is not required to appear in person at this Council meeting. If Council has any questions for the applicant, Erin Cobb, City Clerk, will reach out to Ms. Resnick. Once City Council approves the application, applicants will be allowed to pick up and pay for their license at City Hall in Community Development.

III. ADJOURNMENT: With no further business to discuss or items to be heard, City Attorney Sam Thomas, adjourned the meeting at 2:07 P.M.

Respectfully submitted,

Kiersten VanHorn

Kiersten VanHorn, Assistant City Clerk



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By:

Sponsored By:

Meeting Date: November 30, 2020

I. AGENDA ITEM TITLE: PH-20-17 NORTH POINT TRAIL FEASIBILITY STUDY
CONSIDERATION OF ADOPTION OF THE NORTH POINT AREA & ALPHA LOOP TRAIL CONNECTIVITY
FEASIBILITY STUDY.

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:

North Point Trail Feasibility Study Staff Report, 201124 - ALFS-Report FINAL, Alpha Loop_Haynes Bridge
At-Grade Crossing Memo, Alpha Loop_Trail Crossing Marking Guidance Memo, Resolution



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. **AGENDA ITEM TITLE:** PH-20-17 NORTH POINT AREA & ALPHA LOOP TRAIL CONNECTIVITY FEASIBILITY STUDY

CITY COUNCIL:

NOVEMBER 30, 2020

II. **UPDATE:**

Since the Council Workshop on November 16, 2020, the consultant has made the following changes to the document:

- Cover - removed "DRAFT"
- Page 78 - Updated the appendix table of contents to reflect the addition of the Haynes Bridge Crossing memo
- Page 119 - Haynes Bridge Crossing memo describing the evolution of the concept, as well as opportunities, constraints, and next steps
- Page 120 - Included the GDOT approved signal plan for reference
- Page 125 - More robust crossing marking memo
- Back cover - added a large City of Alpharetta logo.

III. **REPORT IN BRIEF:**

Consideration of adoption of the North Point Area & Alpha Loop Trail Connectivity Feasibility Study.

DISCUSSION

The 2018 North Point Activity Center LCI identifies greenspace/trail connectivity as an area-wide initiative to enhance development and reinvestment into the North Point area through the creation of a system of connected multi-use trails and greenspaces. In an effort to implement this initiative, City Council authorized Staff to seek grant funding to explore the feasibility of connecting the Alpha Loop to the Big Creek Greenway through the North Point area. The Atlanta Regional Commission (ARC) awarded the City \$150,000 in LCI grant funds to complete a feasibility study, with the City committing to a 20% match. The feasibility study is a scoping concept plan for a multi-use path connecting the Alpha Loop to the Big Creek Greenway, North Point Mall and across Haynes Bridge Road at the Georgia 400. The study includes conceptual alignments, alternative alignments, typical sections, trailheads and amenities, placemaking opportunities, connections to nearby destinations, and cost estimates.

The RFP was awarded to MKSK in November 2019, with project kick-off on January 21, 2020. The study was developed by engaging local residents, businesses, property owners, key stakeholders and trail users throughout the planning process. Due to the Covid-19 outbreak, the project team adapted the public engagement strategy in an effort to prioritize the health and well-being of the Alpharetta community. On April 22, 2020, the first public meeting was launched virtually and consisted of a series of introductory videos and materials, as well as surveys and mapping exercises. This meeting was supplemented with an analog intercept survey, which included yard signs placed in the study area with links to a survey that could be completed using a smart phone. Public Meeting #2 was held on July 29, 2020 at Morrison Lake, which is an

outdoor venue adjacent to the study area. The meeting provided opportunities for the public to provide feedback at thematic stations located around the lake. To broaden public participation, an online survey was made available to supplement Public Meeting #2. In addition to the public meetings and online surveys, the project team conducted stakeholder interviews, which included property owners, developers, advocacy groups (Bike Alpharetta), regulatory agencies (GDOT, MARTA, etc.), elected officials, and City Staff.

IV. ATTACHMENTS:

- North Point Area & Alpha Loop Trail Connectivity Feasibility Study

North Point Area And Alpha Loop Trail

Connectivity Feasibility Study

November 2020

MKSK

T'OOLE
DESIGN

Arc

THE CITY OF
ALPHARETTA
GEORGIA

Contributors

North Point Area And Alpha Loop Trail Connectivity Feasibility Study

City of Alpharetta

- Mayor Jim Gilvin
- Donald Mitchell | Post 1, City Council (Mayor Pro Tem)
- Ben Burnett | Post 2, City Council
- Karen Richard | Post 3, City Council
- John Hipes | Post 4, City Council
- Jason Binder | Post 5, City Council
- Dan Merkel | Post 6, City Council
- Kathi Cook | Community Development Director
- Michael Woodman, AICP | Senior Planner
- Eric Graves, PE | Senior Engineer
- Ben Kern | GIS Specialist/Planner
- Elle Taylor | Planning and Zoning Coordinator
- Morgan Rodgers | Recreation, Parks & Cultural Services Director

Atlanta Regional Commission

- Jared Lombard, AICP | Senior Principal Planner

Consultant Team

- Darren Meyer, PLA, AICP | MKSK
- Donald Zellefrow | MKSK
- Barrett Armstrong, PLA | MKSK
- Haoting Shi | MKSK
- Kristina Granlund | MKSK
- Addie Weber, AICP | Toole Design Group
- Tom Natwick, PE | Toole Design Group
- Savannah Langkamp, PE | Toole Design Group

The opinions, findings, and conclusions in this publication are those of the author(s) and not necessarily of the Department of Transportation, State of Georgia or the Federal Highway Administration. Prepared in cooperation with the Department of Transportation, Federal Highway Administration and the Atlanta Regional Commission.

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North Point Area And Alpha Loop Trail Connectivity Feasibility Study

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p61 Section 05 - **Cost & Constructability**

p75 Section 06 - **Appendix**



Introduction

Section 01



Purpose

Improving Quality-of-Life by Connecting Communities

As the Alpha Loop continues to take shape in the heart of Alpharetta, it is poised to provide significant economic and community benefit to the City and region. This signature pedestrian and bicycle trail is already proving to be a catalyst for economic development, a signature quality-of-life amenity, and a step towards transportation equity – accommodating universal modes of transportation (walking and biking) while reducing reliance on the automobile.

The value of this trail system is significant for internal trips within Alpharetta, i.e., linking Avalon with Downtown Alpharetta, but also has tremendous potential benefit for its ability to enhance regional connectivity. By providing links to existing regional trail systems such as the Big Creek Greenway, future trails such as Path400, and planned transit services (MARTA Bus Rapid Transit), the Alpha Loop gives the Alpharetta community the opportunity to strengthen its connectivity and access to the wider metro area, which is critical for long-term economic stability.

Alpha Loop (Northwinds Parkway)

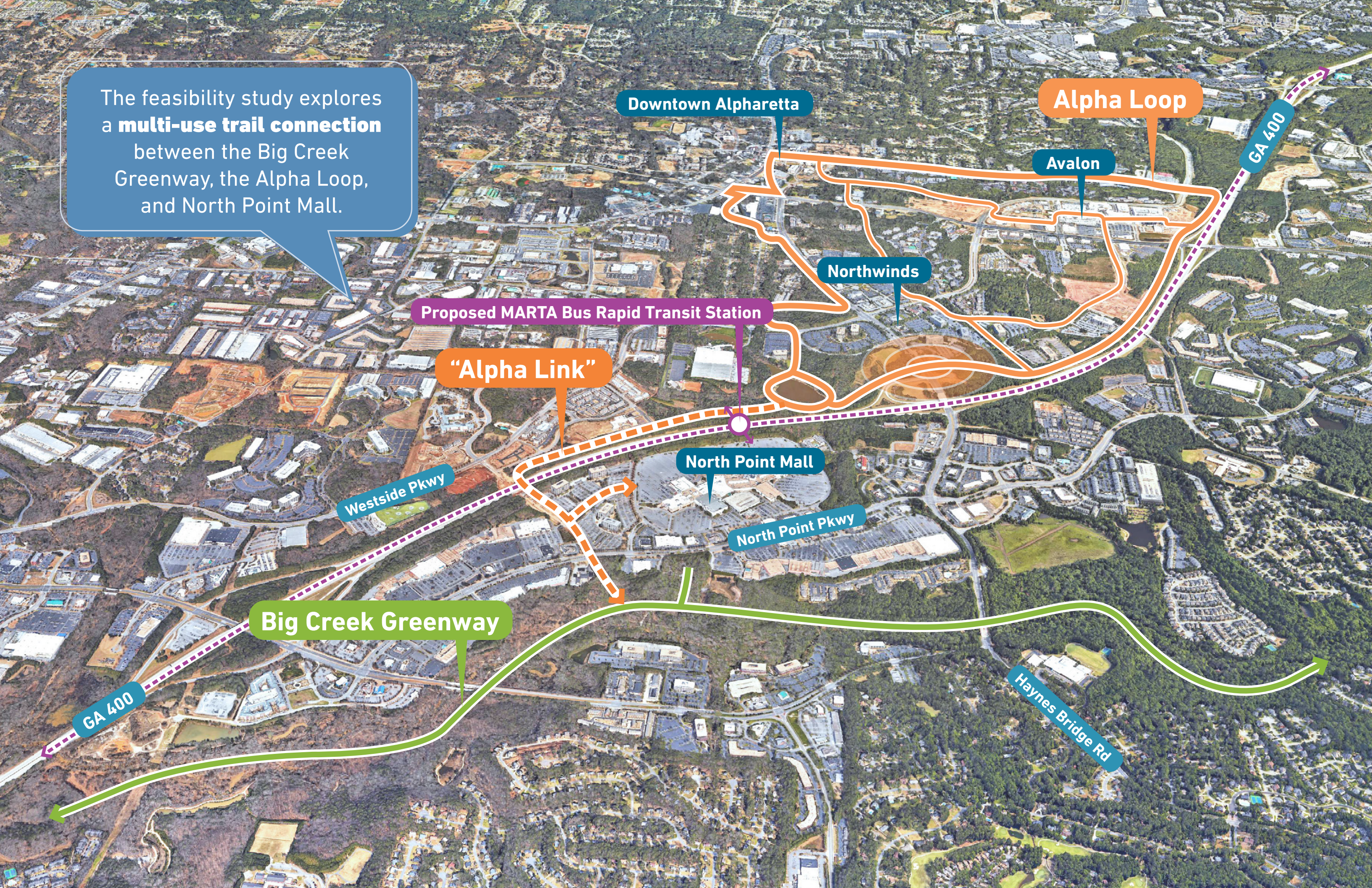


North Point Mall (Future Redevelopment)



Big Creek Greenway

The feasibility study explores a **multi-use trail connection** between the Big Creek Greenway, the Alpha Loop, and North Point Mall.



Downtown Alpharetta

Alpha Loop

Avalon

Northwinds

Proposed MARTA Bus Rapid Transit Station

"Alpha Link"

North Point Mall

Westside Pkwy

North Point Pkwy

Big Creek Greenway

Haynes Bridge Rd

GA 400

GA 400

Approach

A Creative & Collaborative Approach to Trail Design

While the benefits of the Alpha Loop are significant, the challenges of routing a public trail system through a highly-developed area are complex. Trail planning, like all thoroughfare planning, involves a wide range of stakeholders, complex real estate strategies, transportation mode conflicts, environmental obstacles (and opportunities), and engineering challenges. The successful implementation of the Alpha Loop extension will require a highly collaborative and creative approach. Throughout the planning process the team worked closely with the various stakeholders whose support will be needed to help achieve the vision - municipal staff and officials, ARC, GDOT, MARTA, business owners, investors, and the greater Alpharetta community.



Process

A Nine-Month, Four-Phase Effort

The planning effort involved a nine-month-long process divided into four major tasks.

Task 1: Data Collection & Analysis

In Task 1, the team collected data and performed technical analyses to develop a thorough & nuanced understanding of the project area.

Task 2: Public Engagement

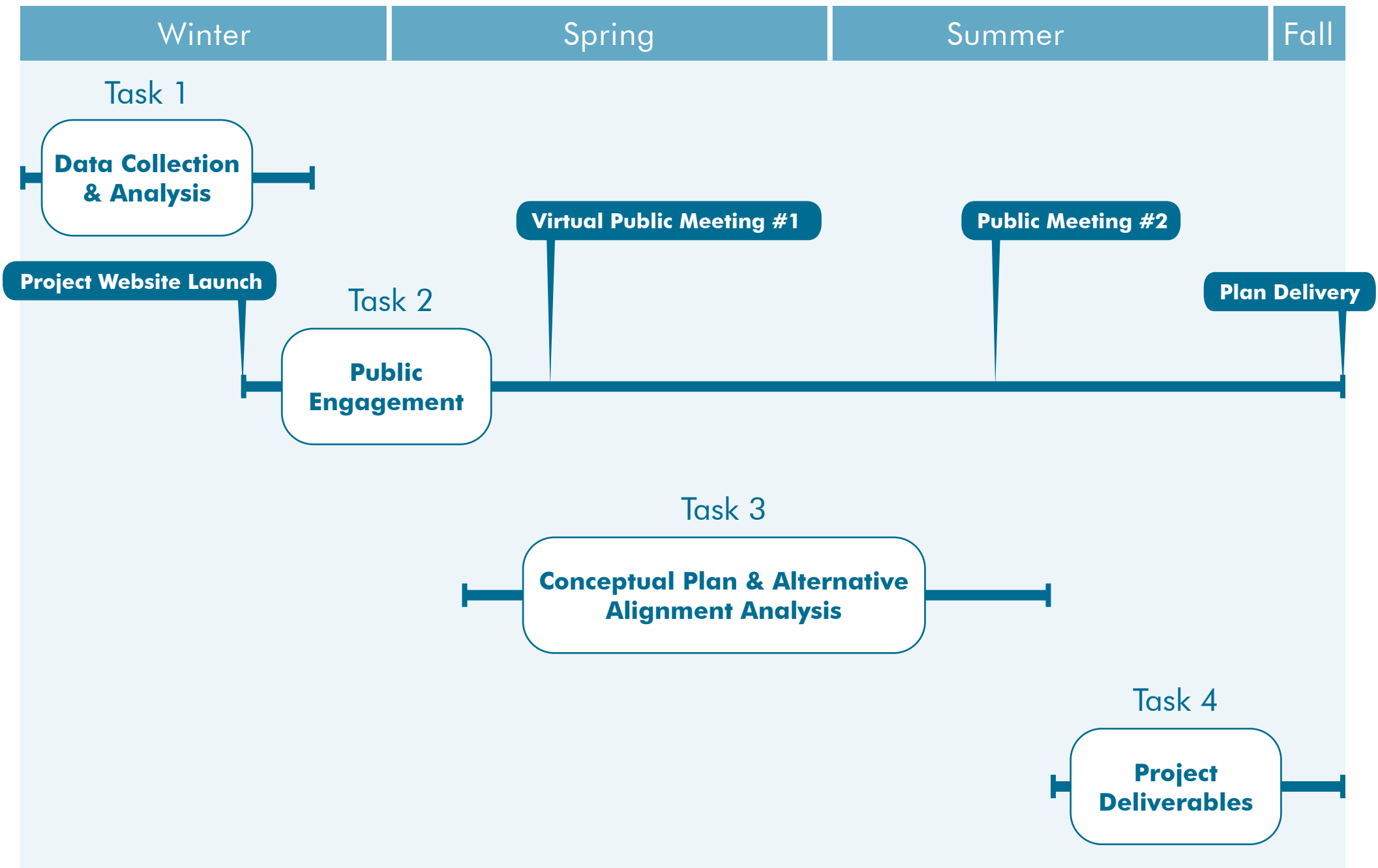
In Task 2, the team involved local residents, businesses, property owners, key stakeholders and trail users in the planning process. This task ran for the entirety of the planning process and involved multiple creative forms of engagement.

Task 3: Conceptual Plan & Alternative Alignment Analysis

In Task 3, the team developed a draft conceptual plan featuring alternative greenway alignments as well as recommendations for trailheads and amenities, placemaking opportunities, cost estimates, and connections to nearby destinations.

Task 4: Project Deliverables

In Task 4, the team refined the concept based on community input, refined and finalized recommendations, and prepared a final report with supporting exhibits detailing the vision for the Alpha Loop.



Community Engagement

Forging Connections, Building Community

Strong public engagement is a hallmark of Alpharetta's community-based planning and design approach. The success of the public visioning process is a critical step in building understanding, support, and ownership that will ultimately lead to effective implementation across time.

In the wake of the COVID-19 outbreak, the planning team adapted it's engagement strategy to prioritize the health and well-being of the Alpharetta community.

Virtual Public Meeting #1

Out of respect for social distancing, Public Meeting #1 transitioned to an online format designed to introduce participants to the planning study and provide a space to share ideas for the North Point area's expanding trail network through a series of surveys and mapping exercises. Coupled with this digital engagement, was an analog intercept survey consisting of postcards mailed to area residents and yard signs placed throughout the study area. These postcards and signs contained project information and discussion prompts that invited residents into the planning process and met them where they were at during the early phases of the COVID-19 outbreak.

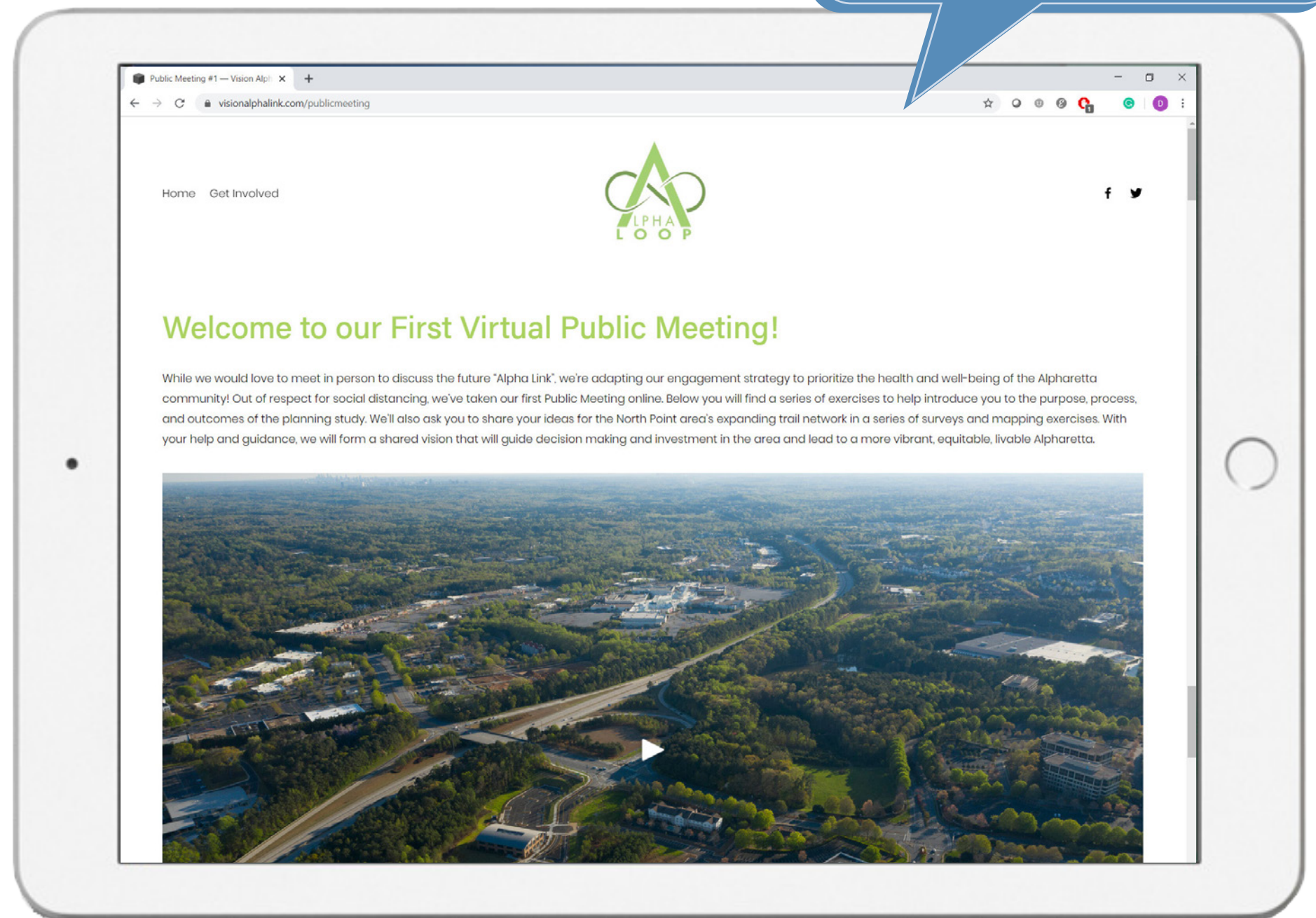
Public Meeting #2

Public Meeting #2 was held outdoors on Wednesday, July 29th at Morrison Lake in the project study area. Upon arrival, participants were invited to take a stroll around Morrison Lake and visit a series of thematic stations to discuss the project and share ideas for its future. To broaden the project's exposure and make the process more accessible, an online survey was made available so those not in attendance had an opportunity to make their voices heard. The online survey was open from July 29th - August 7th.

Stakeholder Engagement

The team conducted virtual stakeholder interviews throughout the planning process with property owners, developers, advocacy groups, regulatory agencies (GDOT, MARTA, etc), as well as elected officials and city staff. These meetings allowed the planning team to listen, learn, and understand the key issues at play in the study area, as well as share initial research, observations, and design concepts.

The Virtual Public Meeting page has been viewed **1,848 times** since it launched on 04/22/2020



Screenshot from the Virtual Public Meeting #1 Homepage



1,450 postcards were sent to area residents and 25 yard signs were placed across Alpharetta.



Vision Alpha Link
North Point Area & Alpha Loop Trail Connectivity Feasibility Study

The City of Alpharetta is exploring a bicycle and pedestrian connection between the Alpha Loop, North Point Area, & Big Creek Greenway.

Visit www.VisionAlphaLink.com to learn more and participate in our Virtual Public Meeting exercises!

I love the Alpha Loop & Big Creek Greenway because...

To share your answer head to www.menti.com & use the code 32 96 08 or scan the QR Code

Visit www.VisionAlphaLink.com to learn more & participate in our Virtual Public Meeting exercises!





11:26 AA menti.com

How comfortable are you using each Haynes Bridge Crossing Option on a scale of 1-10?

At-Grade 3

1 10

Not Comfortable Very Comfortable

Tunnel 6

1 10

Not Comfortable Very Comfortable

Submit

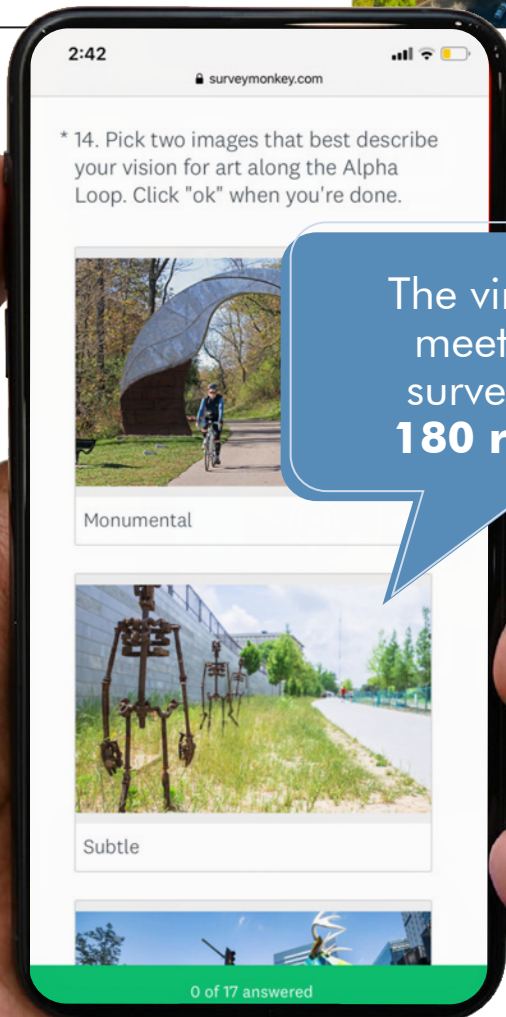
Powered by Mentimeter Terms

Imagery from the Community Engagement Process

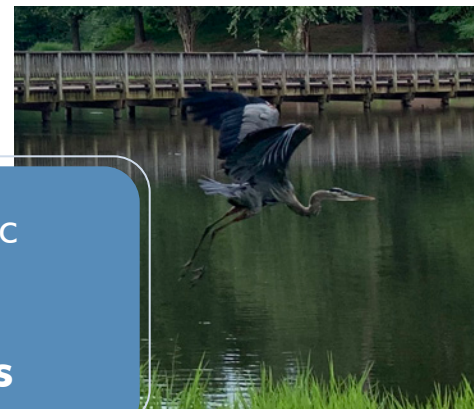
Join us this evening for a relaxing stroll around the lake!

Community Workshop

Wednesday, July 29, 2020 | 5:30 - 7:30p
2325 Lakeview Pkwy Alpharetta, GA 30009
Visit www.VisionAlphaLink.com to learn more!



The virtual public meeting vision survey received **180 responses**



Help us connect the Alpha Loop & Big Creek Greenway!

Community Workshop

Wednesday, July 29, 2020 | 5:30 - 7:30p
2325 Lakeview Pkwy Alpharetta, GA 30009
Visit www.VisionAlphaLink.com to learn more!



Imagery from the Community Engagement Process



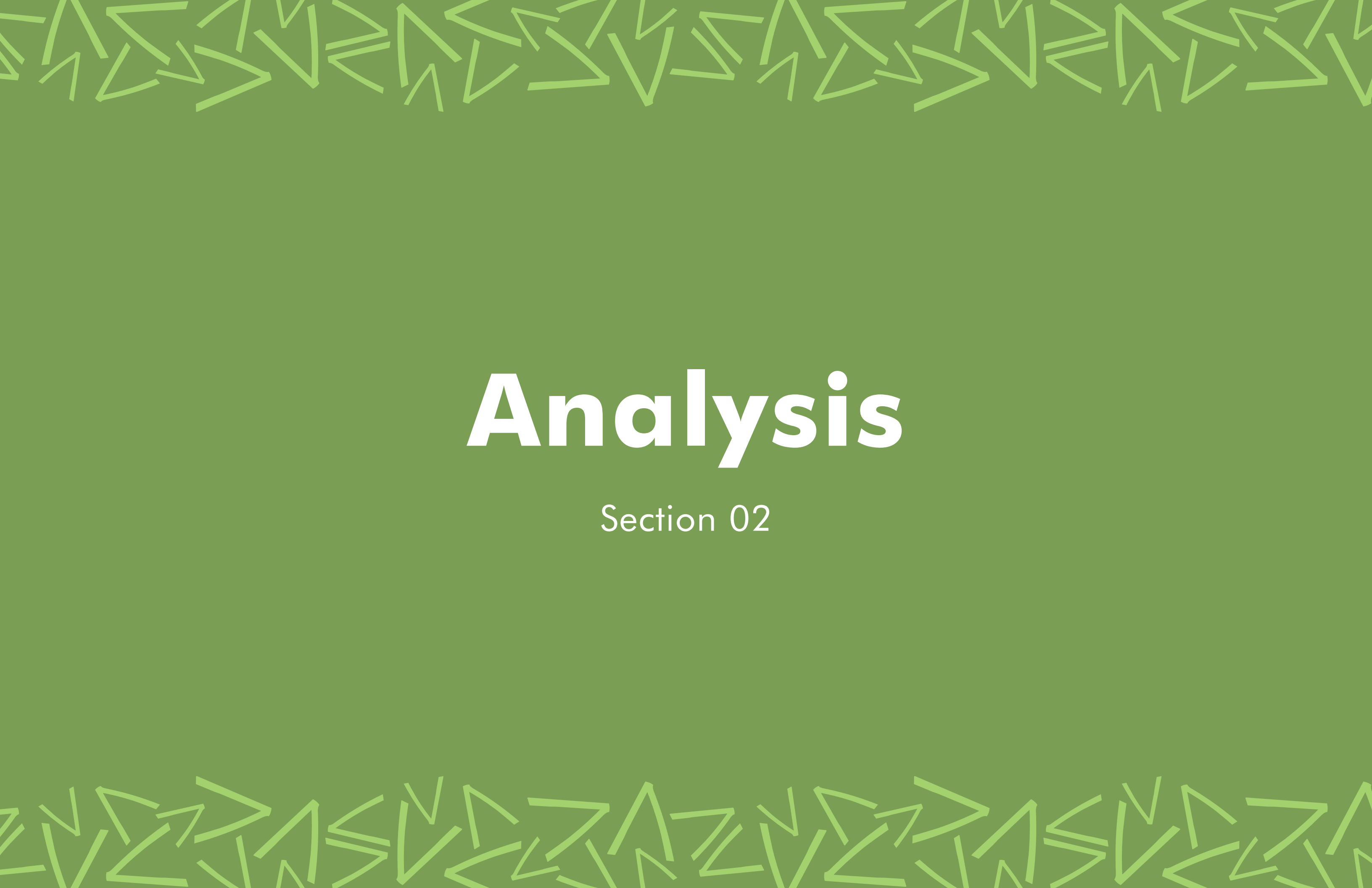
40 community members joined us for a stroll around the lake at Public Meeting #2



Help us connect the Alpha Loop & Big Creek Greenway!

Visit bit.ly/alphalink3 to share your ideas for the future of the Alpha Loop & explore the strategies and recommendations for the "Alpha Link" feasibility study today!

Imagery from the Community Engagement Process

The background is a solid green color. At the top and bottom edges, there is a decorative border consisting of a dense, overlapping pattern of light green, hand-drawn style lines and geometric shapes, resembling a stylized forest or abstract pattern.

Analysis

Section 02

Connectivity

Shaping a Safe, Comfortable, and Diverse Network

High-volume, widely spaced arterial roads define the spatial structure of the North Point area today. The result is limited route choice, extremely large blocks, and poor walkability/bikeability. These attributes lack the qualities of a livable neighborhood and do not support the goals of creating a vibrant mixed-use environment. The relationship between the Alpha Loop and these thoroughfares will prove a defining factor for the success of this trail project.

Despite the auto-oriented nature of the district today, North Point is home to one of the most beloved and well-used bike and pedestrian routes in the region, the Big Creek Greenway. Additionally, a host of planning efforts and policies have resulted in the expansion and improvement of pedestrian, bicycle, and transit infrastructure across the district. Of particular note, is the plans for a MARTA Bus Rapid Transit station to be located at the North Point Mall that will provide residents, employees, and visitors alike the opportunity for multi-modal connections to destinations across the Atlanta metro region.

The following pages provide an overview of the mobility networks within the study area. This includes evaluation of the roadway characteristics, pedestrian and bicycle infrastructure, and transit connections. To quantify bicyclist comfort, a Level of Traffic Stress (LTS) analysis was performed. The analysis was conducted based on criteria developed by Peter Furth¹, adapted to account for available data and local context.

Haynes Bridge Rd & Georgia 400 Southbound (looking west)



North Point Pkwy & Encore Pkwy (looking south)

1: Furth, P. Level of Traffic Stress Criteria for Road Segments – Version 2.0. Northeastern University College of Engineering. June 2017.

Encore Parkway near North Point Parkway (looking north)



North Point Parkway near North Point Market Center (looking south)



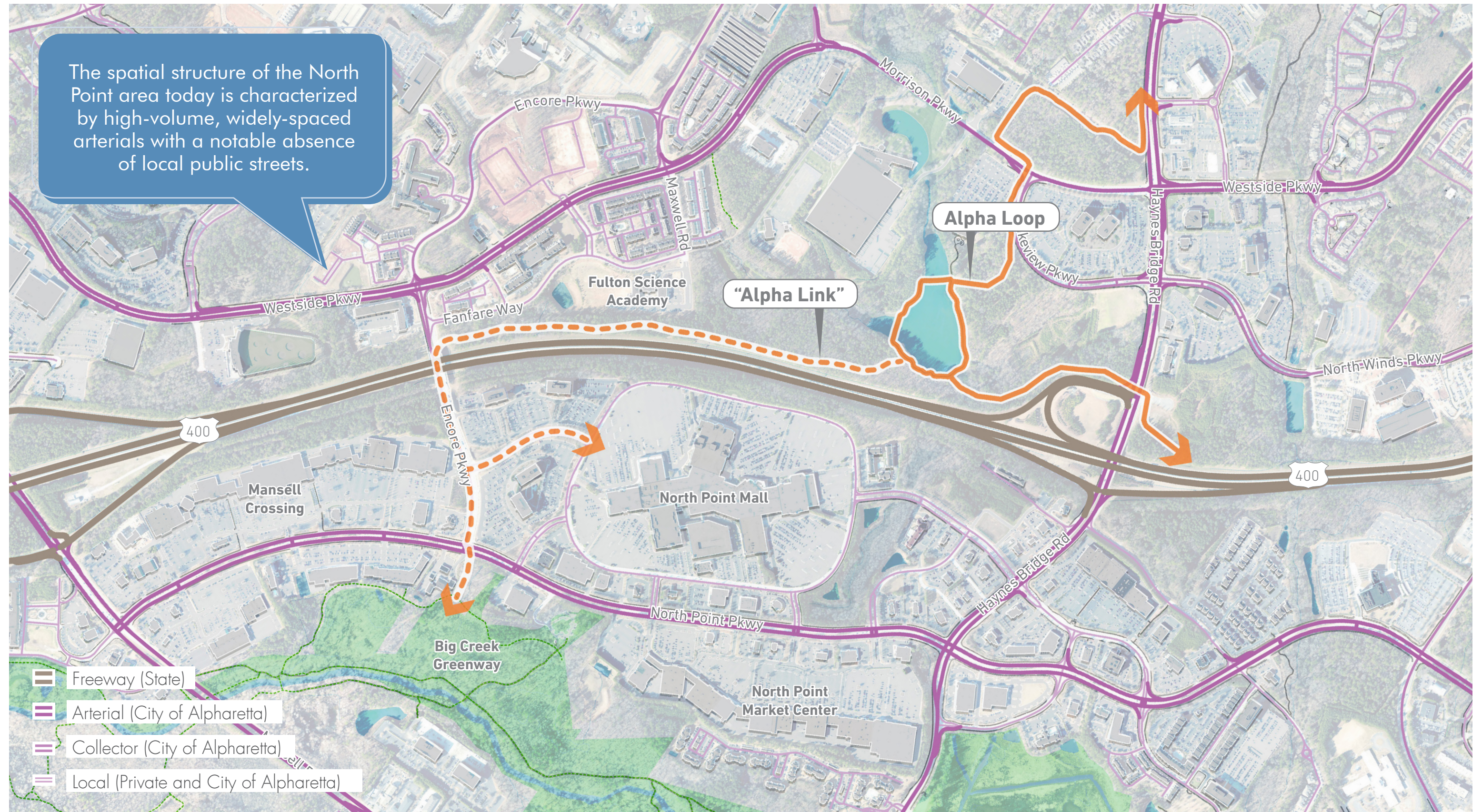
Encore Parkway over Georgia 400 (looking north)



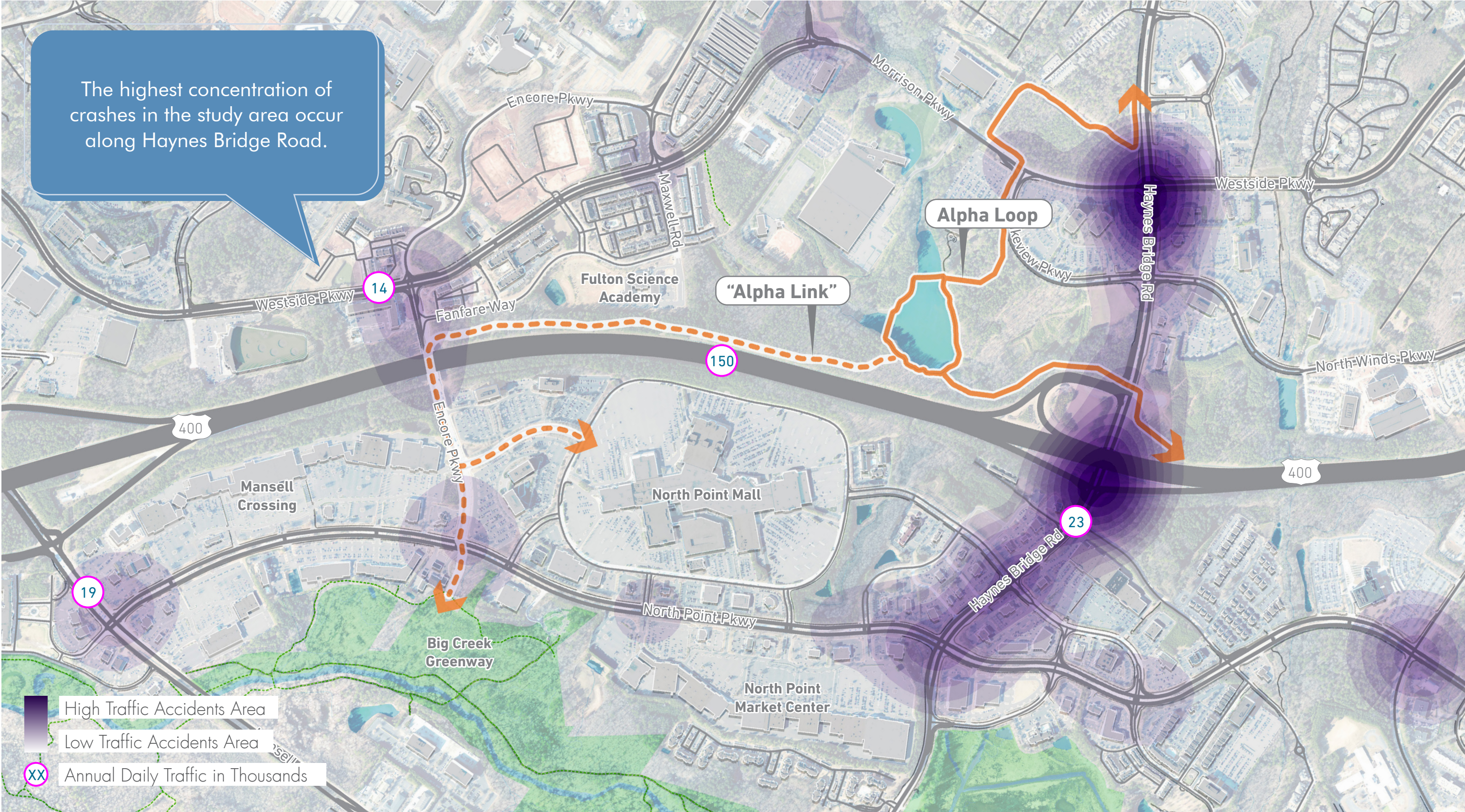
Haynes Bridge Road near Georgia 400 Southbound (looking south)



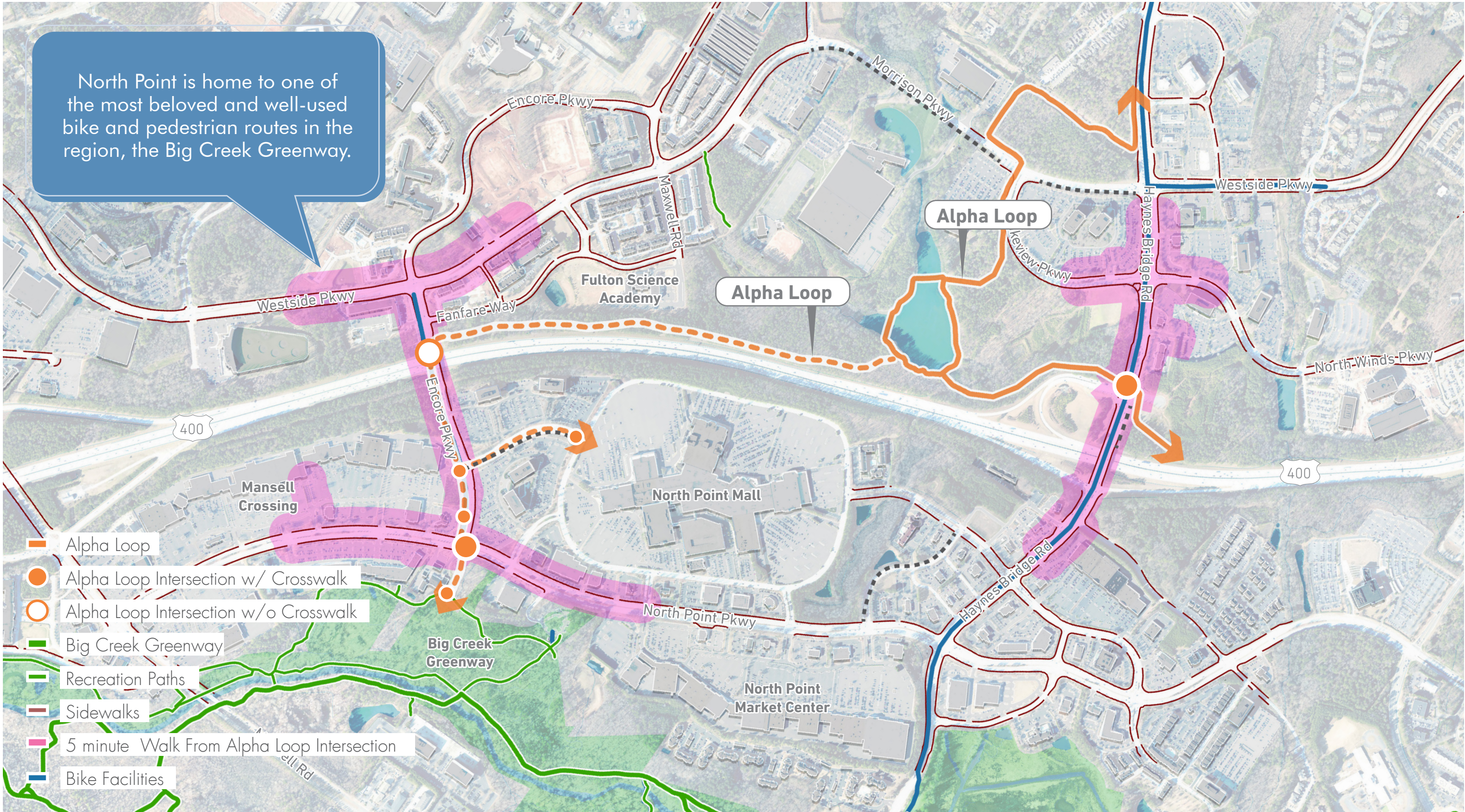
Roadway Network



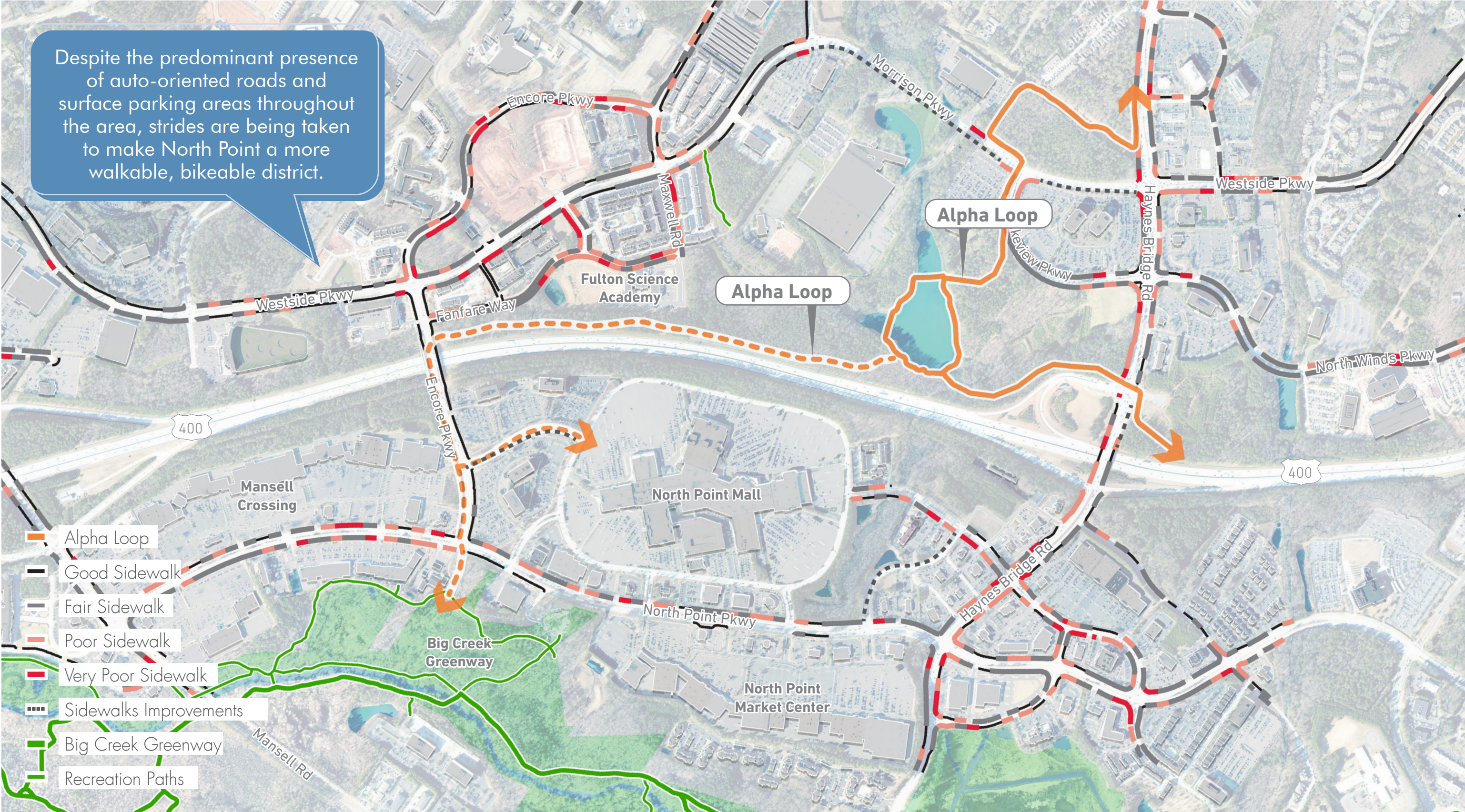
Crash Data



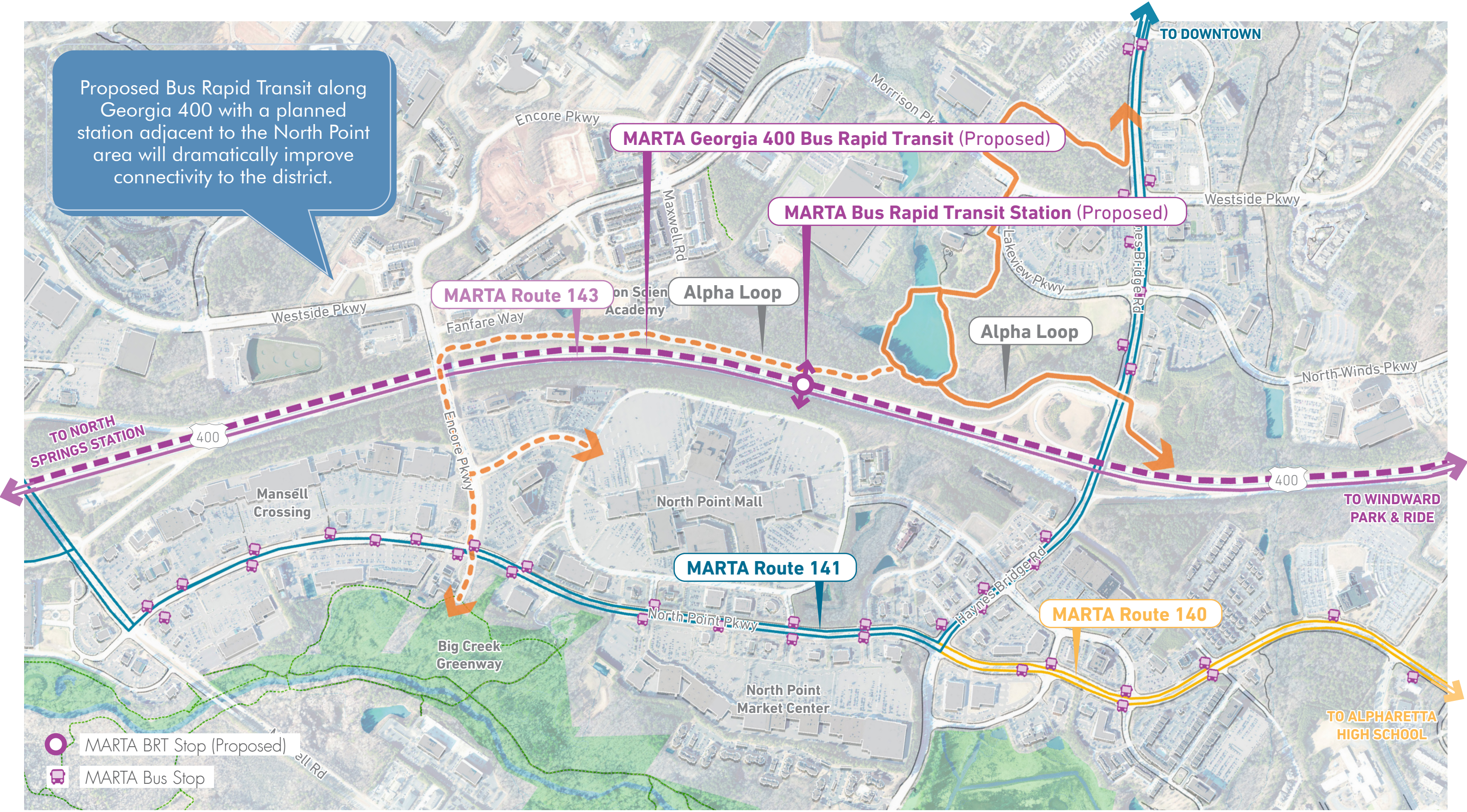
Walkshed



Sidewalk Condition

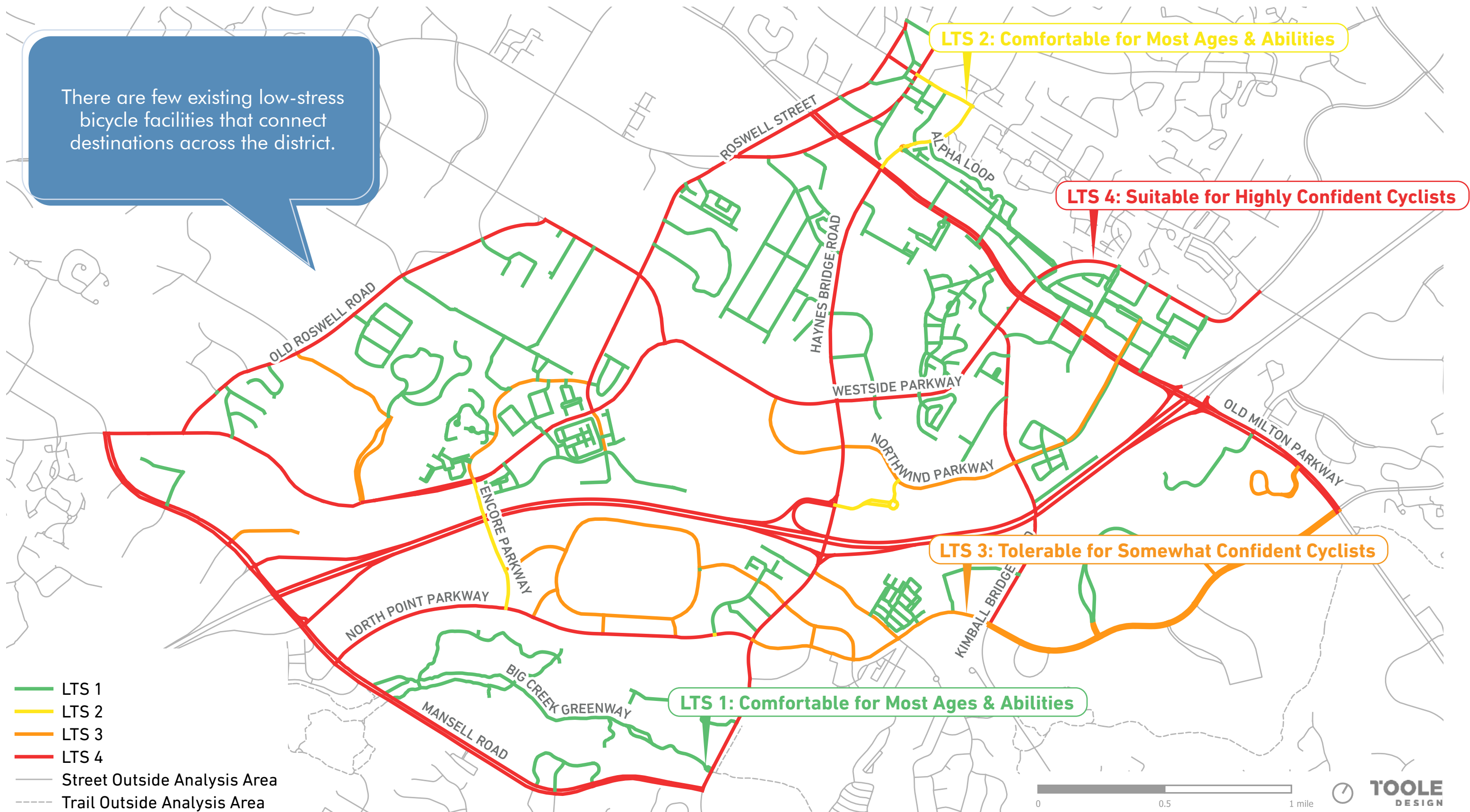


Transit Connectivity



Bicycle Level of Traffic Stress

To quantify bicyclist comfort within the study area, a Level of Traffic Stress (LTS) analysis was performed. The analysis was conducted based on criteria developed by Peter Furth, adapted to account for available data and local context. There are four levels of traffic stress used to describe how appropriate a route is for different types of users.



Development

Catalyzing Development and Serving Community Need

Beginning with the North Point area's first Livable Centers Initiative (LCI) study in 2008, and most recently with the adoption of the North Point Creative Placemaking Plan in 2018, the district has been the focus of many planning efforts and policy initiatives aimed at redefining the district as a green, walkable, mixed-use district. Local property owners and developers in the district are responding to this community-based momentum and to the market demand for more livable places by delivering human-scaled, mixed-use projects with a heavy emphasis on connectivity and a vibrant public realm.

The Alpha Loop is an integral part of the connective tissue that binds these individual projects together and a catalyst for attracting investment and serving community needs in this emerging mixed-use district.

The following pages provide an overview of active and planned developments, composition of property ownership, and distribution of community facilities within the study area.

360 Tech Village



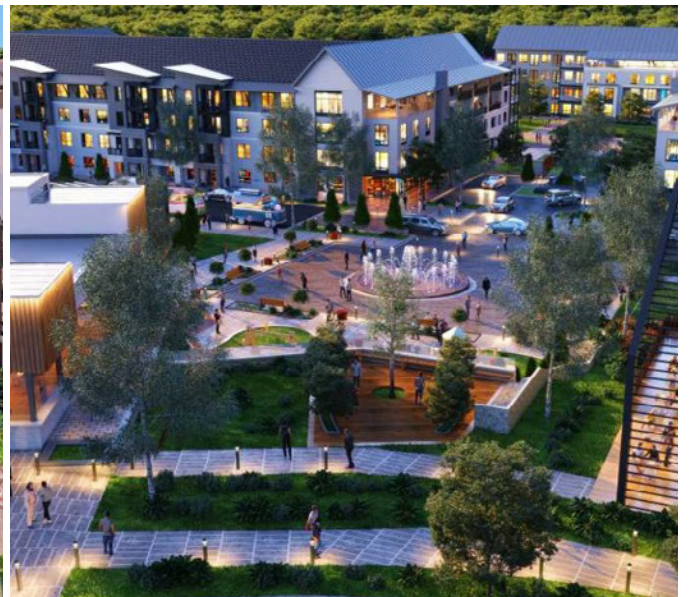
Northwinds Summit



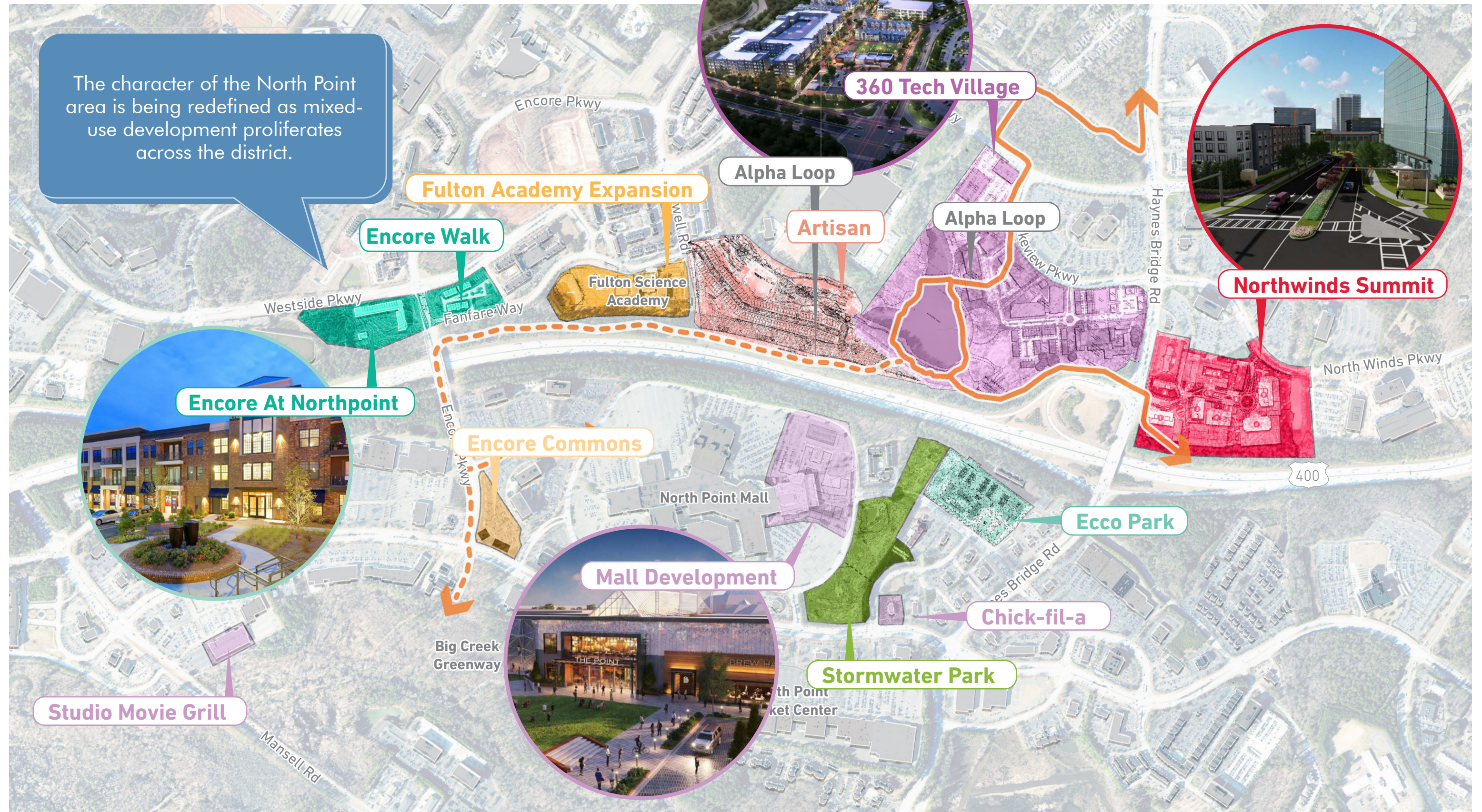
Encore at North Point



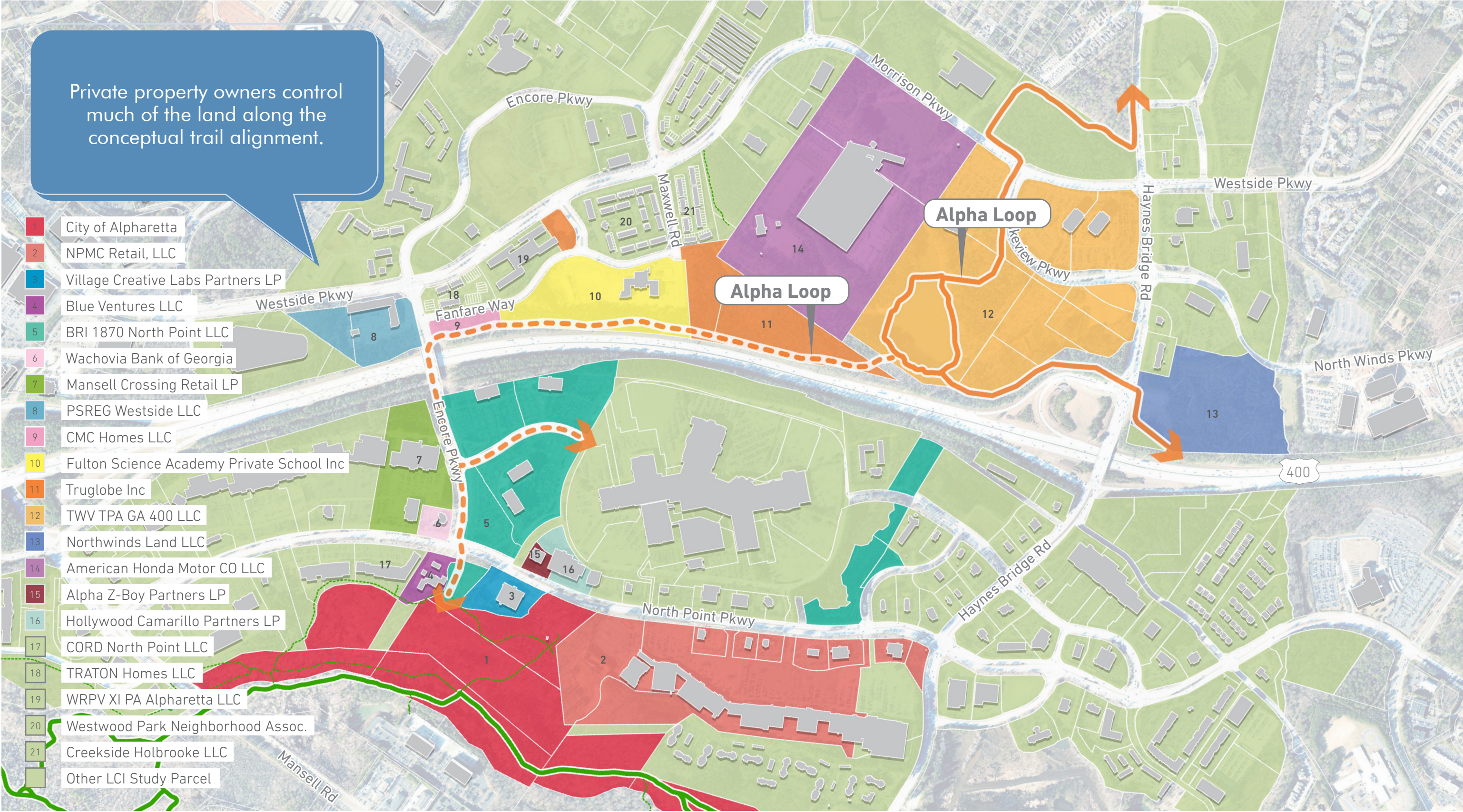
North Point Mall Redevelopment



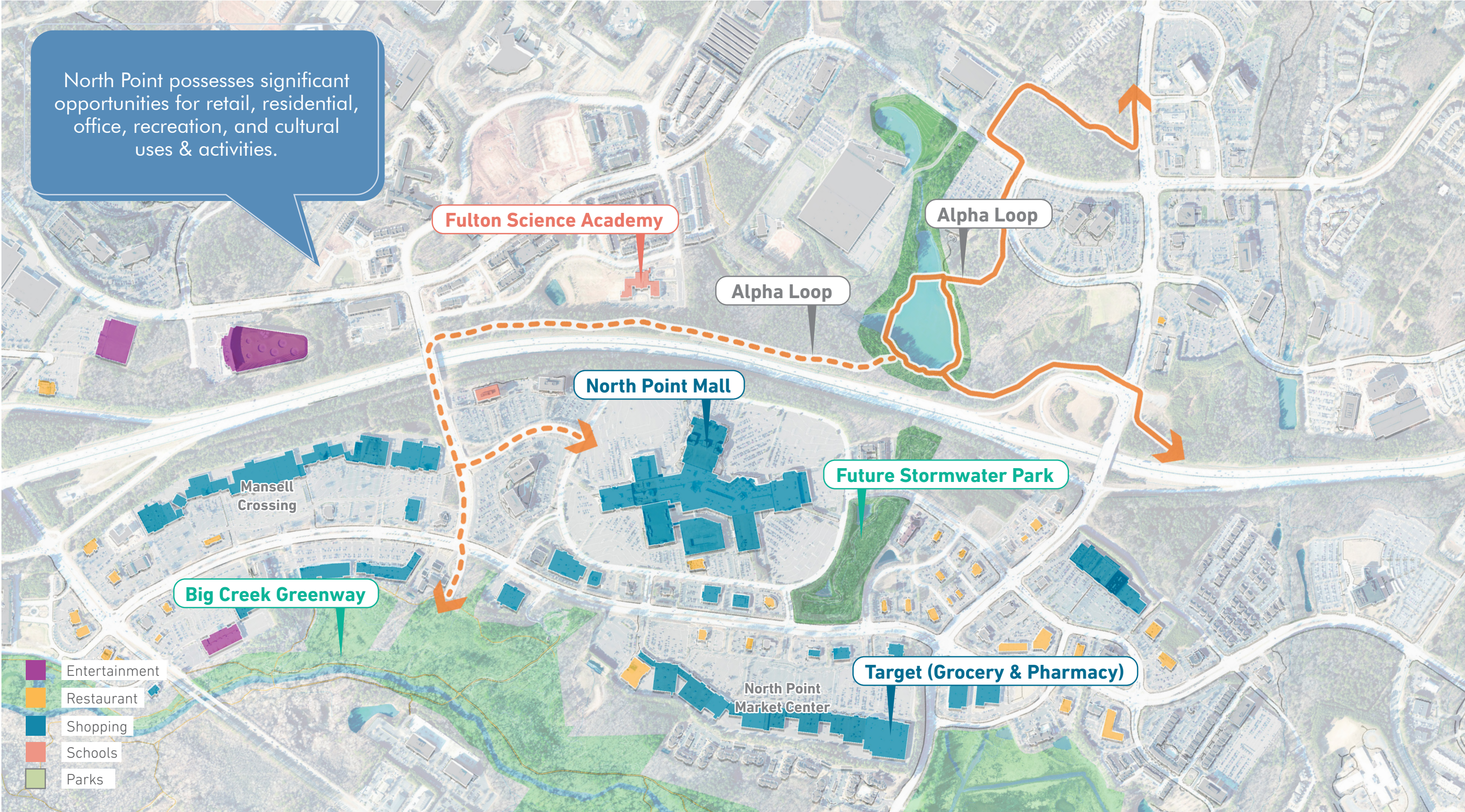
Development



Property Ownership



Community Assets



Environment

Foregrounding the Nature of North Point

It is easy to overlook the natural beauty of the North Point area. At first glance it is a sea of surface pavement. However, it is in fact home to some of Alpharetta's greatest green assets: the riparian corridor of the Big Creek (and its tributaries) and Morrison Lake.

The Big Creek, which is enjoyed by the many who travel its meandering banks along the aptly named Big Creek Greenway, holds tremendous ecological and economic value. Morrison Lake, which lies behind the Georgia 400 Center off of Lakeview Parkway is a hidden gem waiting to be uncovered. At roughly 10 acres in size it is one of the largest standing bodies of water in Alpharetta and serves home to numerous species of wildlife.

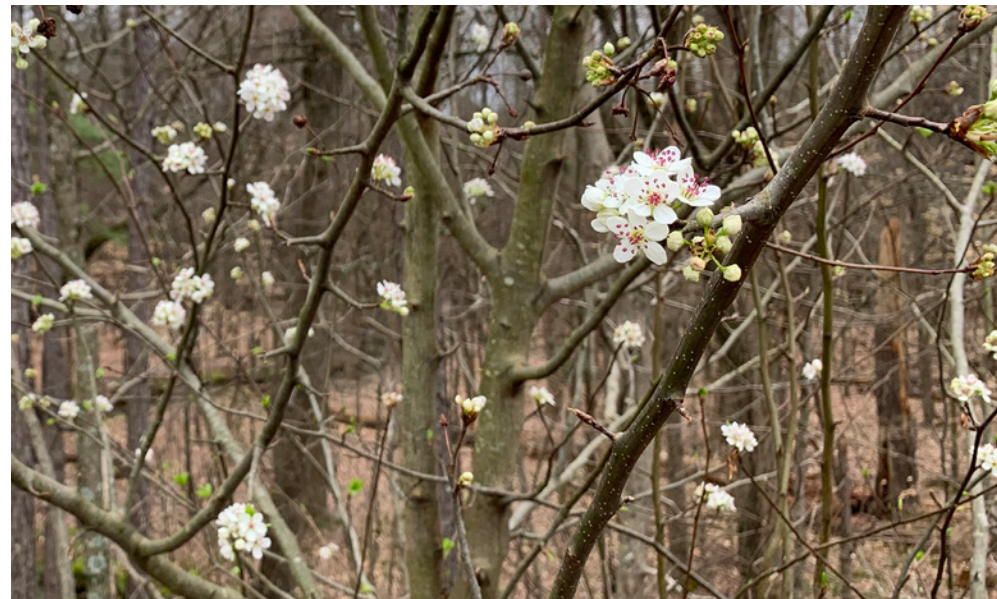
In addition to those mentioned above, another green asset waiting to be leveraged can be found within the district. The forested buffer along Georgia 400 serves as a green thread offering the opportunity to connect the many communities and destinations located along this critical corridor.

The following pages provide an overview of the natural resources within the study area. This includes exploration of the hydrologic, topographic, and vegetative systems influencing the trail alignment and its experiential qualities.

Morrison Lake (looking west)



Georgia 400 Buffer (looking north)



North Point Pkwy near the Big Creek Greenway (looking south)



Morrison Lake (looking south)

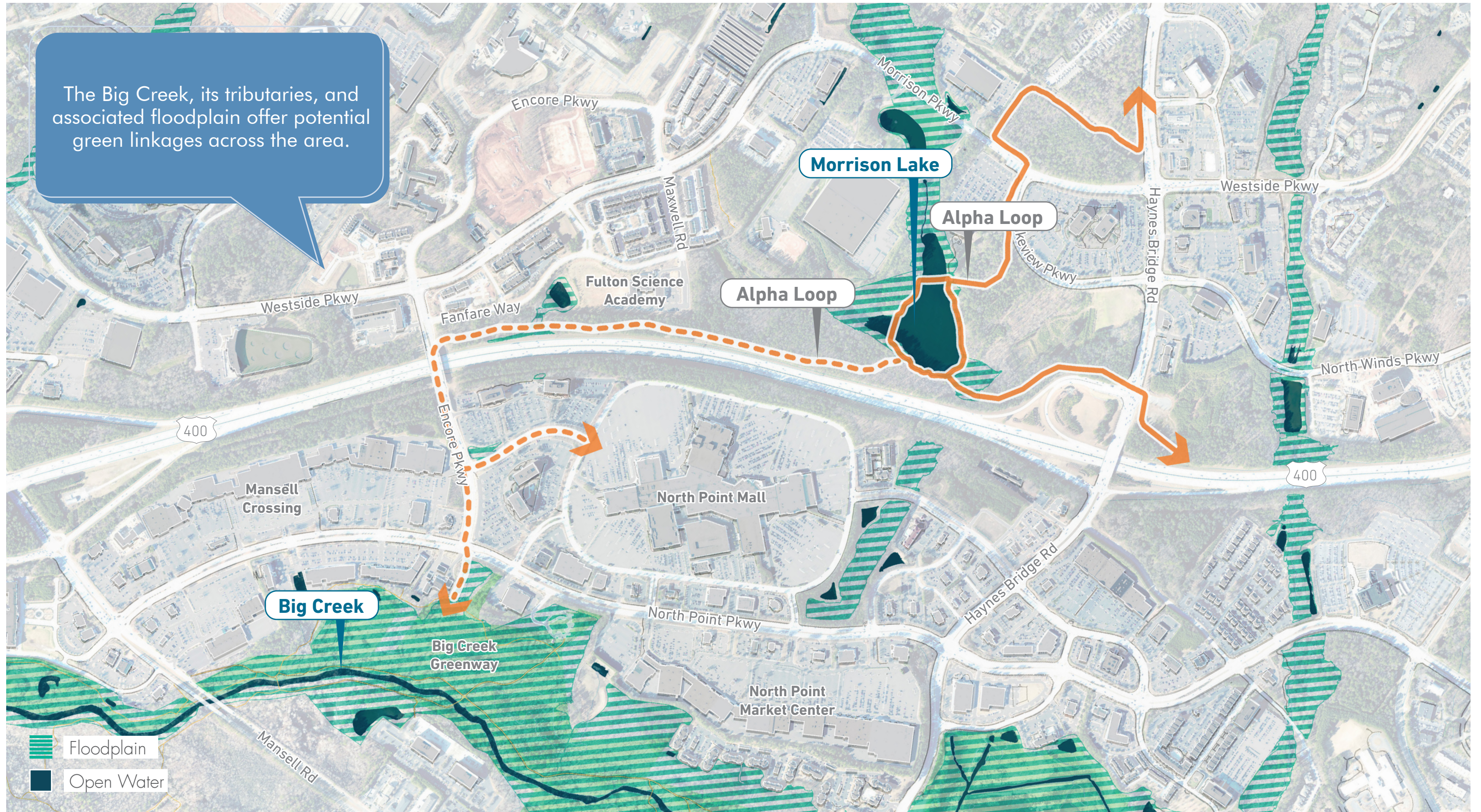
Aerial image of the Big Creek Greenway



Canopy Cover



Hydrology

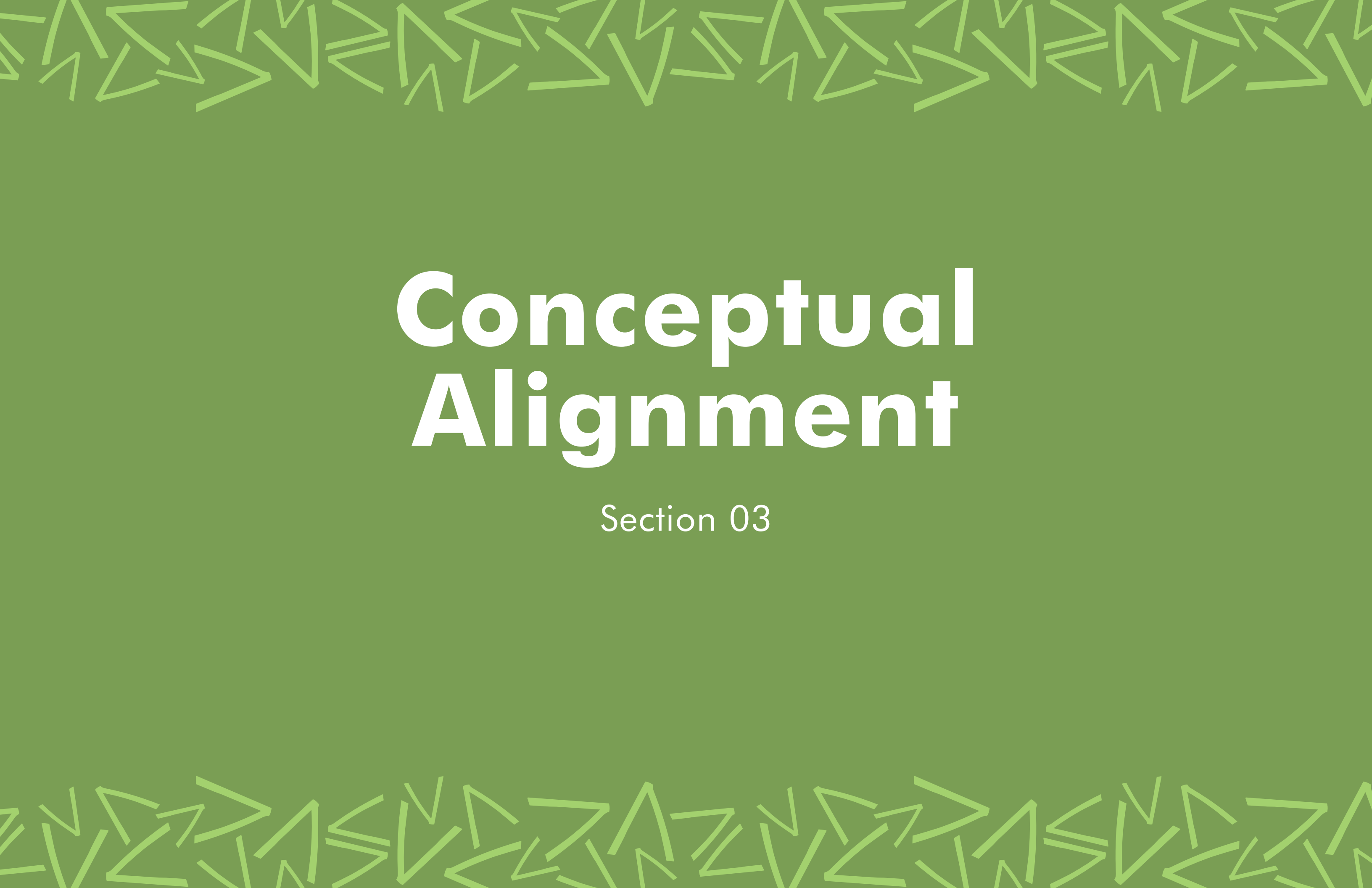


Elevation



Slope Analysis





Conceptual Alignment

Section 03

The “Alpha Link”

Connecting the Alpha Loop, North Point Area, and Big Creek Greenway

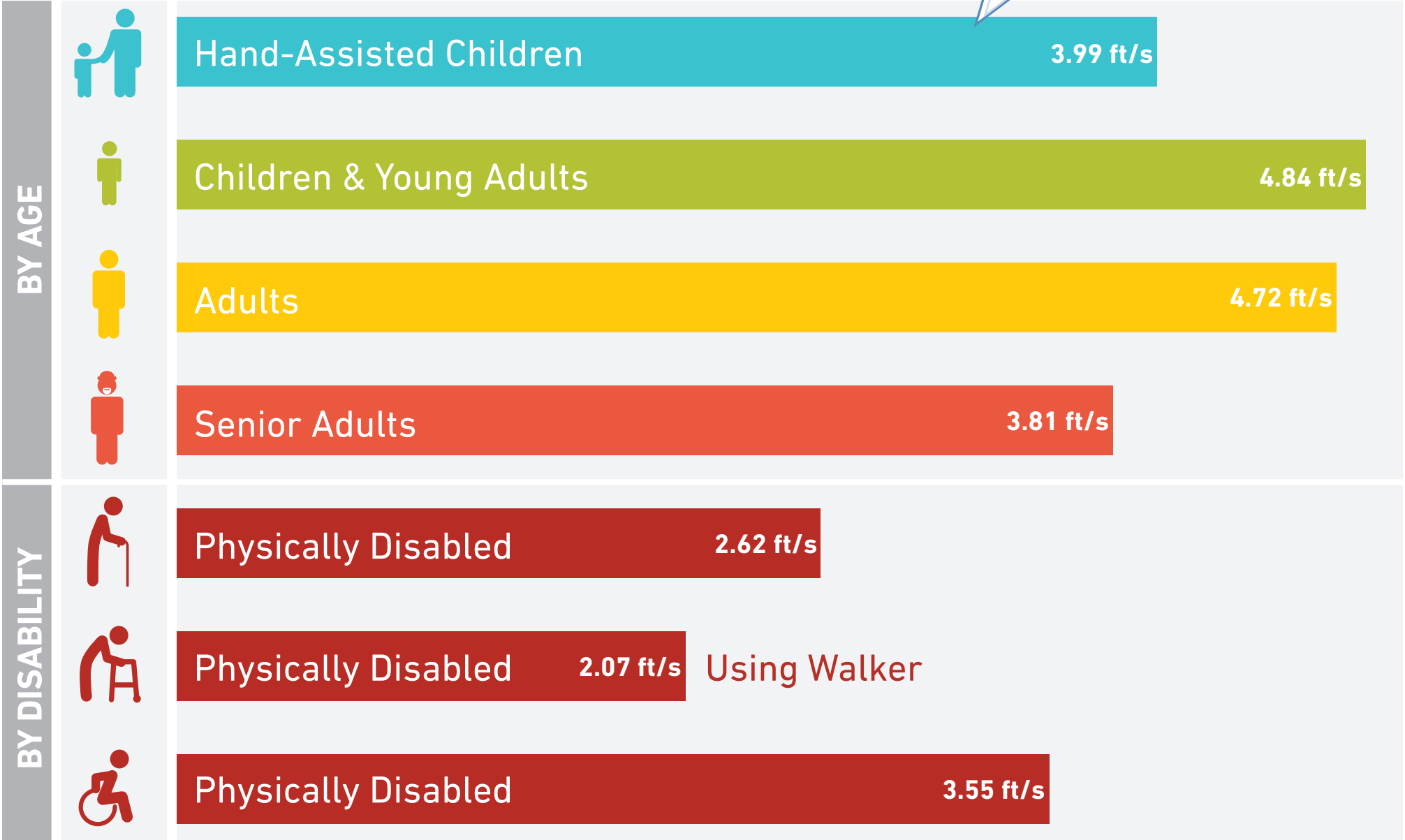
The Alpha Loop, Alpharetta’s signature pedestrian and bicycle trail, connects destinations and amenities within the City providing a catalyst for economic development, a signature quality-of-life amenity, and a step towards transportation equity within the community.

The value of this trail system is significant for internal trips within Alpharetta, i.e., linking Avalon with Downtown Alpharetta, but also has tremendous potential benefit for its ability to enhance regional connectivity. The long-range plans for the extension of Path400 would provide a link between North Fulton and Atlanta, and the Alpha Loop’s location along Georgia 400 makes this future link a critical piece of transportation infrastructure. Likewise, the Big Creek Greenway is a 20-mile, multi-jurisdictional trail connecting Alpharetta residents and employees to adjacent communities along the Big Creek.

The North Point Area and Alpha Loop Trail Connectivity Feasibility Study examines the potential link of the Alpha Loop to the Big Creek Greenway, closing a critical gap between two of the communities most beloved and well-used amenities. The Feasibility Study seeks to enhance regional connectivity and multi-modal transportation through a planned link to the future MARTA Bus Rapid Transit service along Georgia 400, which currently is conceived with a transit center in the North Point Mall area. This link strengthens Alpharetta’s connection to the wider metropolitan labor market and also potentially streamlines the commute pattern of residents working outside of the City.

The following pages provide an overview of the conceptual alignment of the Alpha Loop and opportunities for placemaking initiatives and open space improvements along its length. To further explore the intricacies of the trail, it has been subdivided into three Focus Areas, reflective of the unique conditions along its route. The design and strategies reflect the rigorous analysis, sustained community engagement, and close coordination with project stakeholders throughout the planning process.

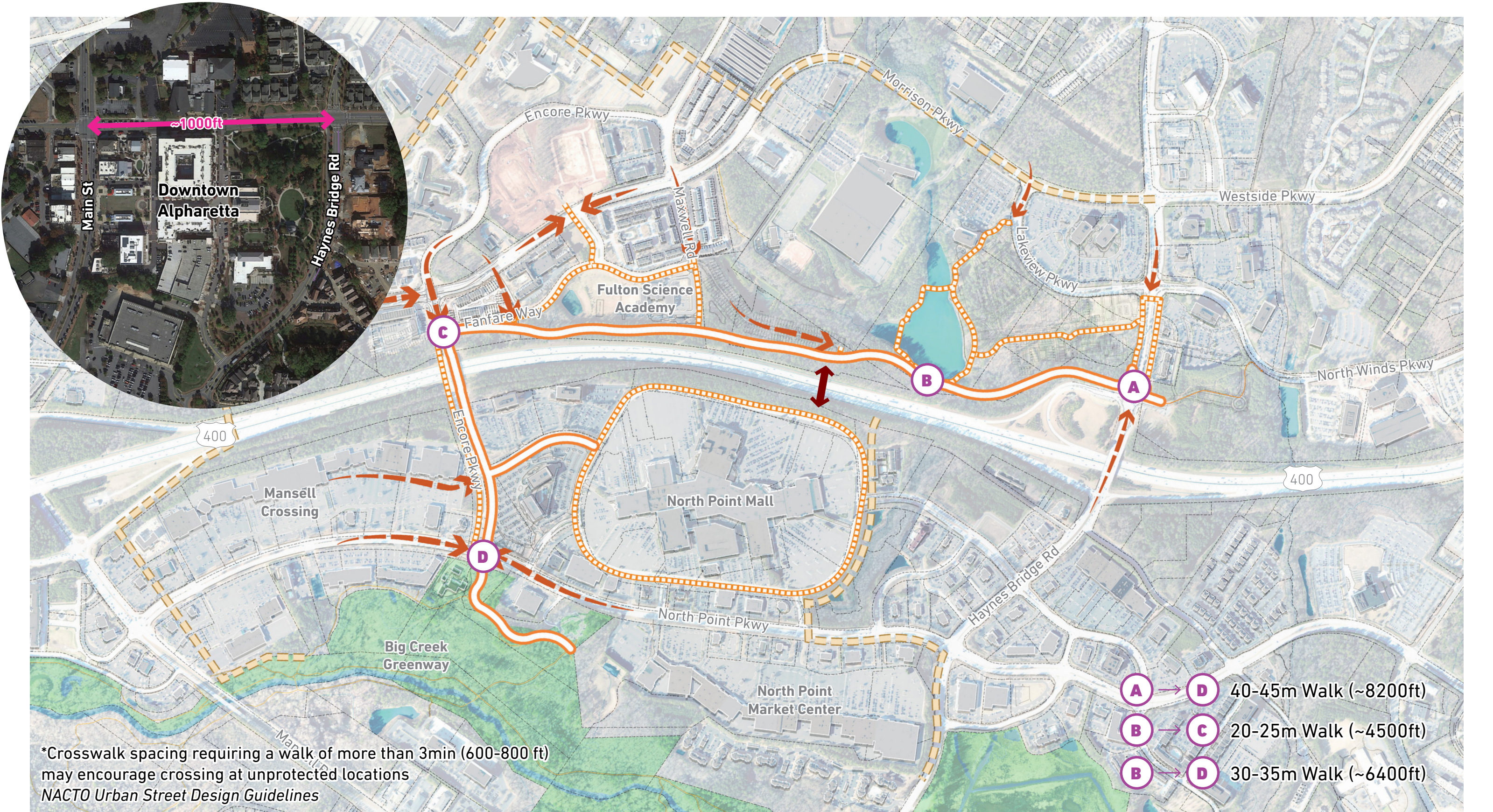
According to the latest National Household Travel Survey (NHTS), approximately **11%** of daily trips in the United States are made by **walking** & about **1%** by **bicycle**.



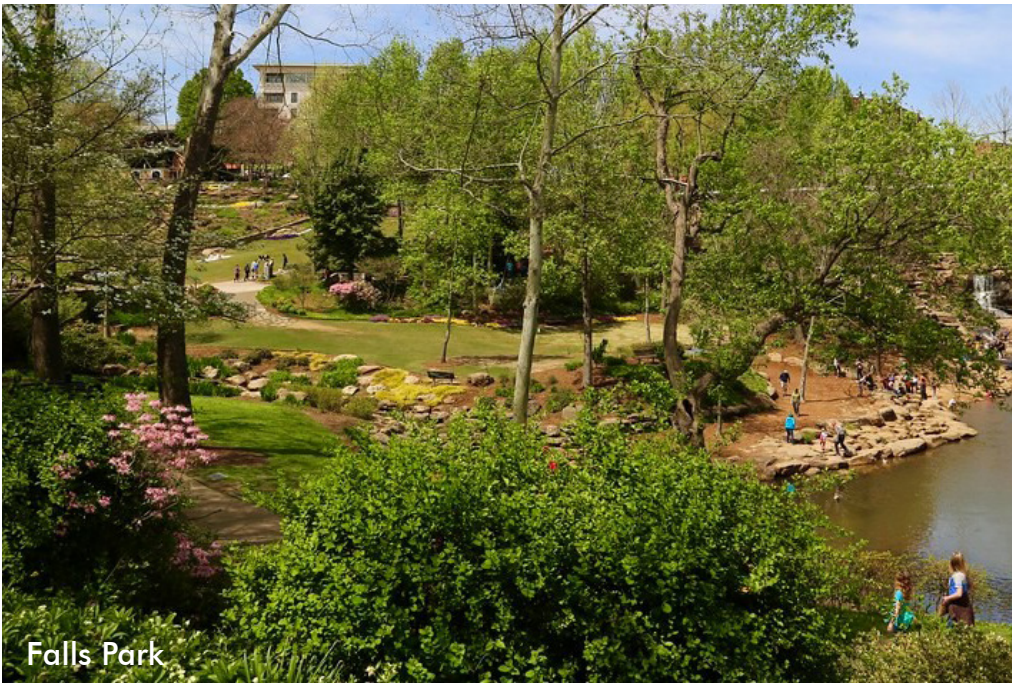
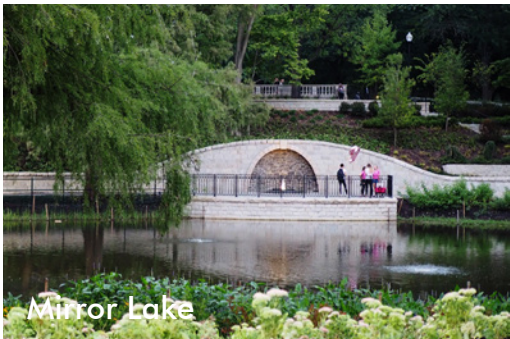
NOTE: The speeds shown in this diagram are mean values for each of the groups.

Conceptual Alignment

- Alpha Loop
- Alpha Loop Connection
- ~10m Walkshed
- Proposed Connection @ 800-1000'
- Planned BRT Station & Overpass



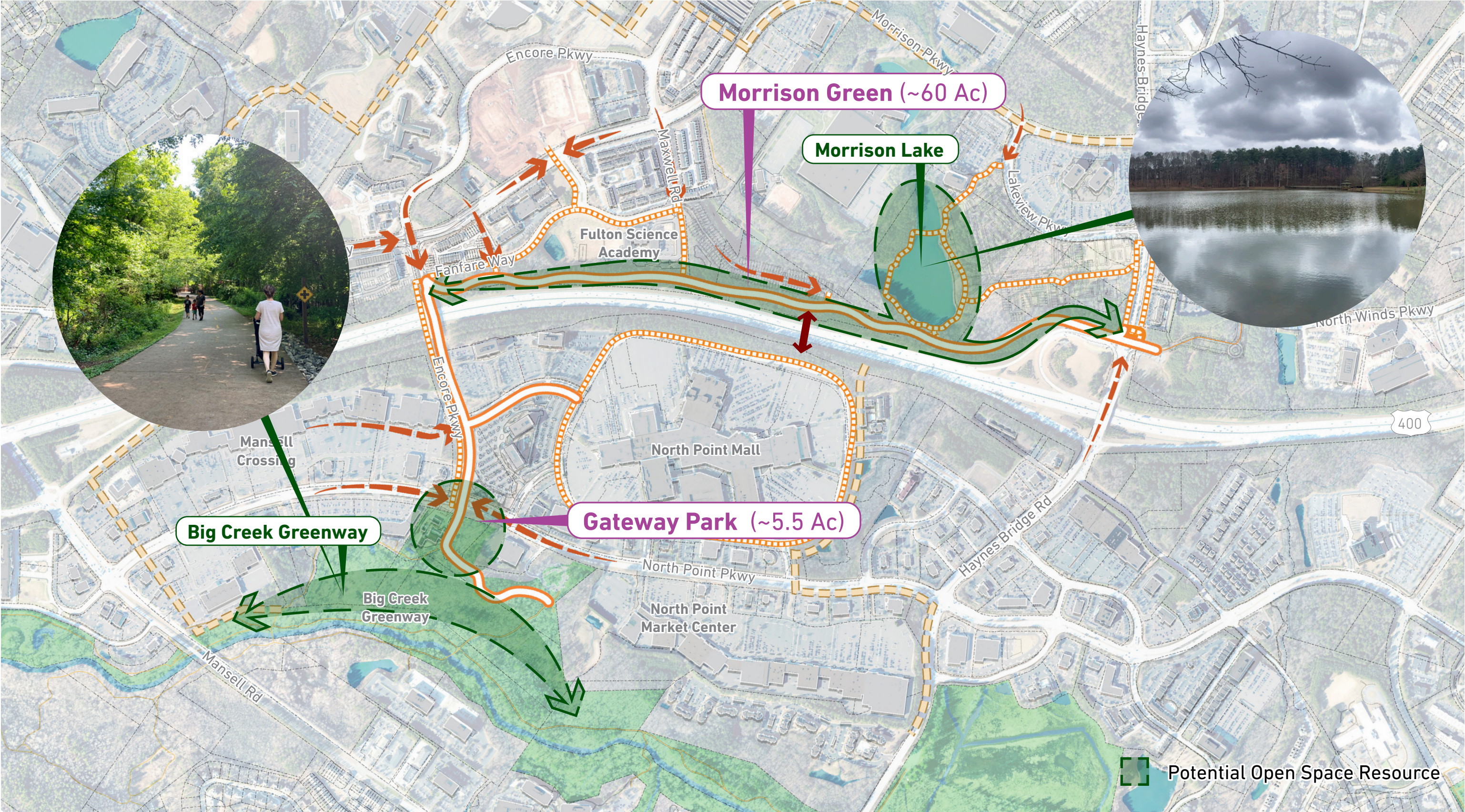
Open Space Inspiration



Open space throughout the district is characterized by its minimalist and naturalistic character.

Open Space

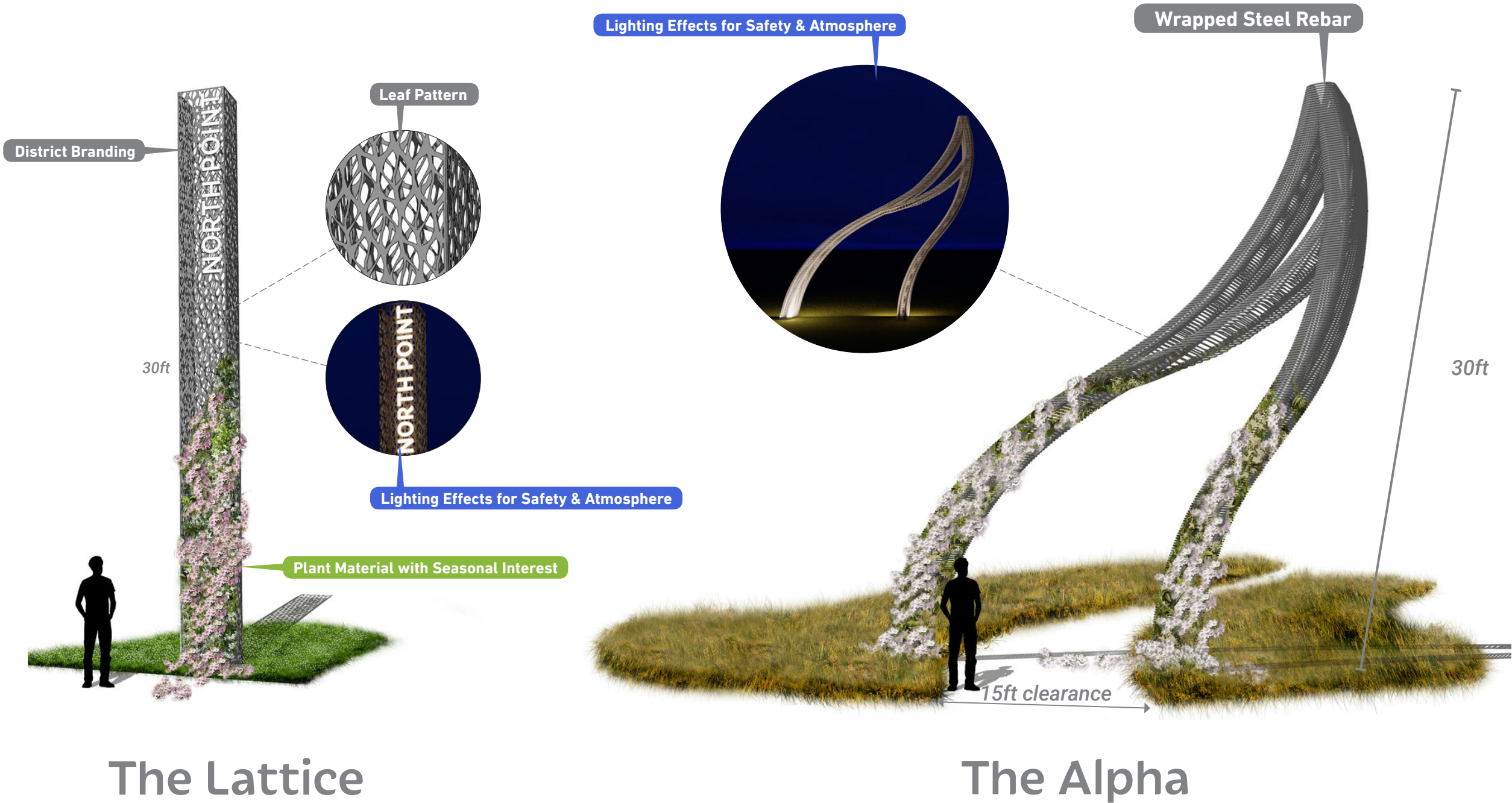
- Alpha Loop
- Alpha Loop Connection
- ~10m Walkshed
- Proposed Connection @ 800-1000'
- Planned BRT Station & Overpass



Gateway Inspiration

Gateways

As part of the North Point Area Creative Placemaking Plan, a series of iconic architectural elements were collaboratively developed with the Alpharetta community. These “District Thresholds” are inspired by the natural environment of the Big Creek Greenway and the larger Piedmont ecoregion. They should be placed at highly visible locations and will serve as icons for navigation and wayfinding within the district.



Trail Amenities

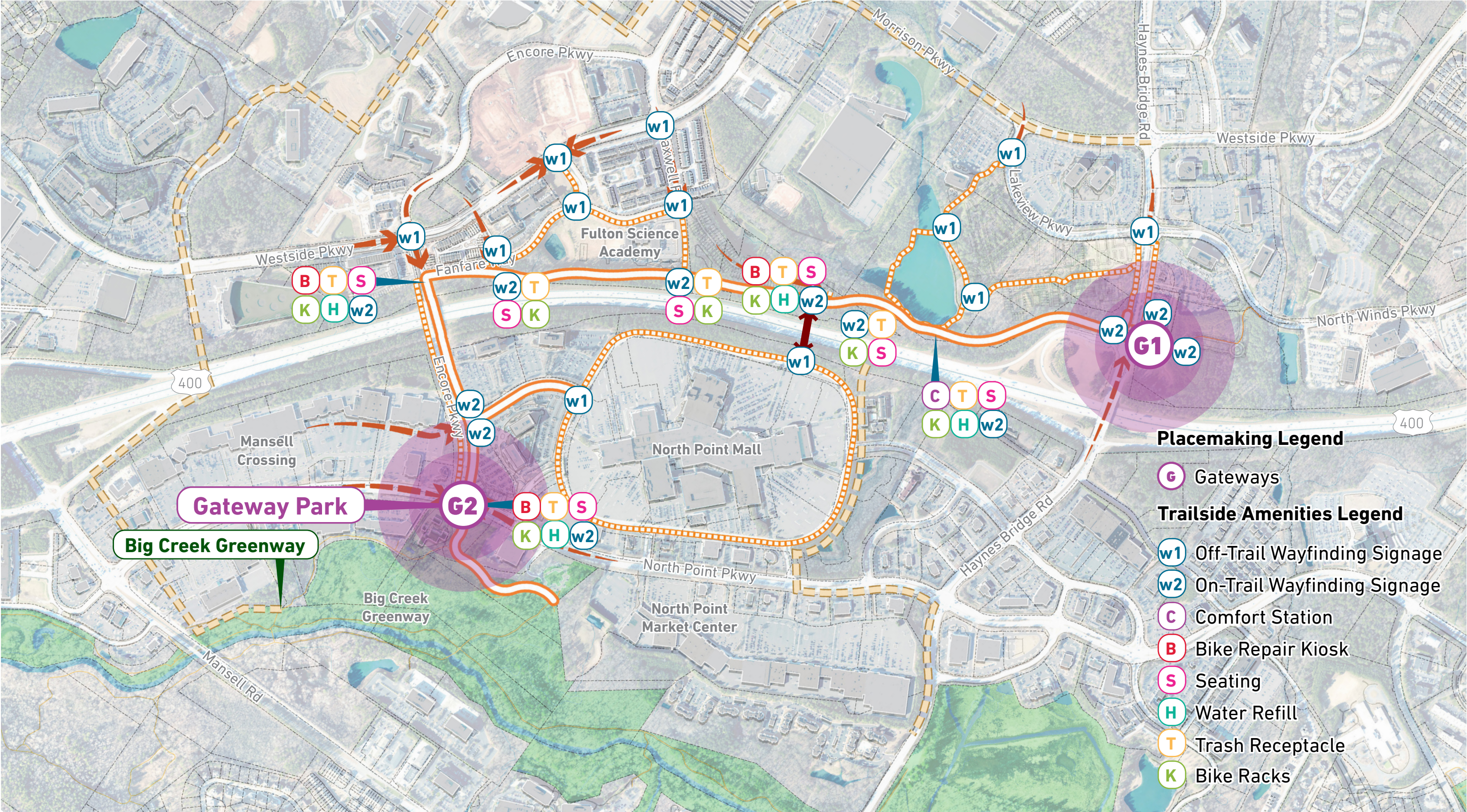
- Alpha Loop

Alpha Loop Connection

~10m Walkshed

Proposed Connection @ 800-1000'

Planned BRT Station & Overpass



Focus Area #1

Crossing Haynes Bridge Road and Traversing Georgia 400

Haynes Bridge Road is a 6+-lane arterial with a 45mph posted speed limit. Though the intersection of Haynes Bridge Road and Summit Place is signalized and contains marked crosswalks, the potential safety implications and perceived safety of this crossing have a major impact on the usability of the trail system. With the continuous right-turn from Haynes Bridge Road to the southbound ramp of Georgia 400, the final leg of the trail crossing is not signal-protected and poses a safety concern in its current configuration.

The proposal for this crossing addresses the safety concerns mentioned above through a redesign of the crosswalk and associated slip lane to provide more space for trail users on foot and bike. High visibility markings and signage improve the legibility of the crossing, while a raised crossing at the southbound entrance ramp to Georgia 400 serves as a tactile measure to improve pedestrian safety and access from the traffic island to the trail. For those trail users wishing to avoid Haynes Bridge Road altogether, a proposed tunnel allows for a seamless journey from the Northwinds area into the forested buffer along Georgia 400.

Once in the forest parallel to Georgia 400, the trail alignment leverages the topography and vegetation of the buffer landscape to provide a route that is both accessible and experientially rich. A connection to the future mixed-use development at 360 Tech Village allows for easy access to nearby neighborhoods, employment centers, and amenities, as well as the western arc of the Alpha Loop trail system.

Haynes Bridge Rd and GA 400 Southbound (looking west)



Summit Dr near the iATL (looking west)



Morrison Lake at the Georgia 400 Center (looking west)



Morrison Lake at the Georgia 400 Center (looking west)

Big Creek Greenway

North Point Mall



Morrison Lake



360 Tech Village (Proposed)

Georgia 400 Center

Haynes Bridge Rd

Summit Pl

Lakeview Pkwy

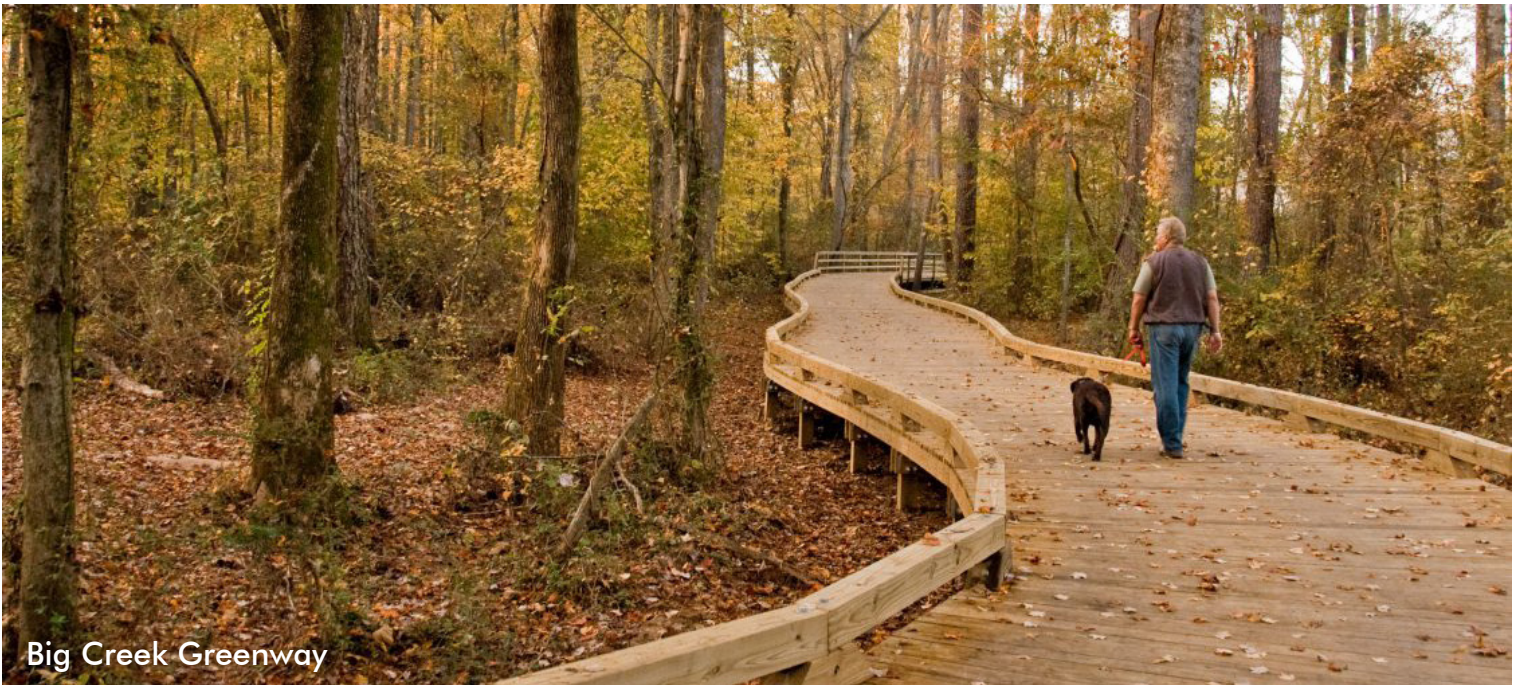
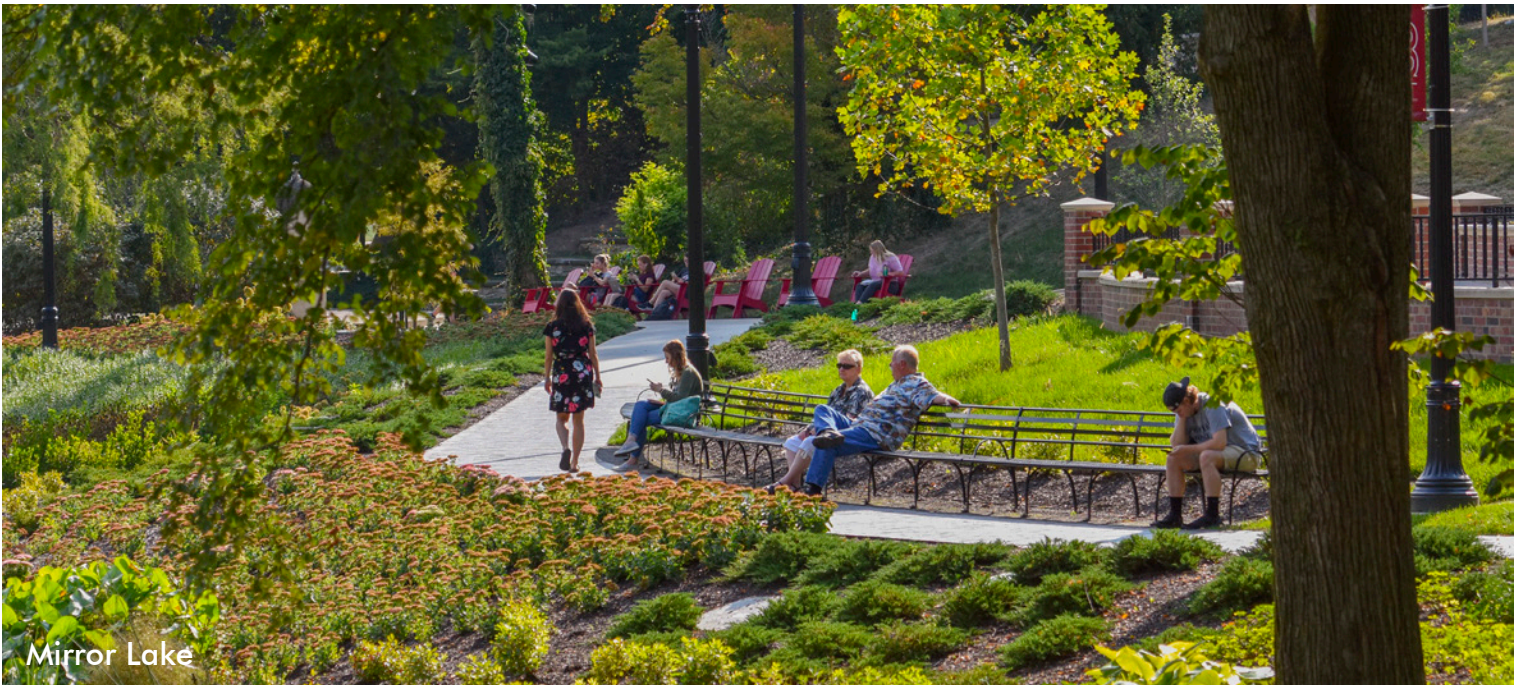


Northwinds Summit

Northwinds

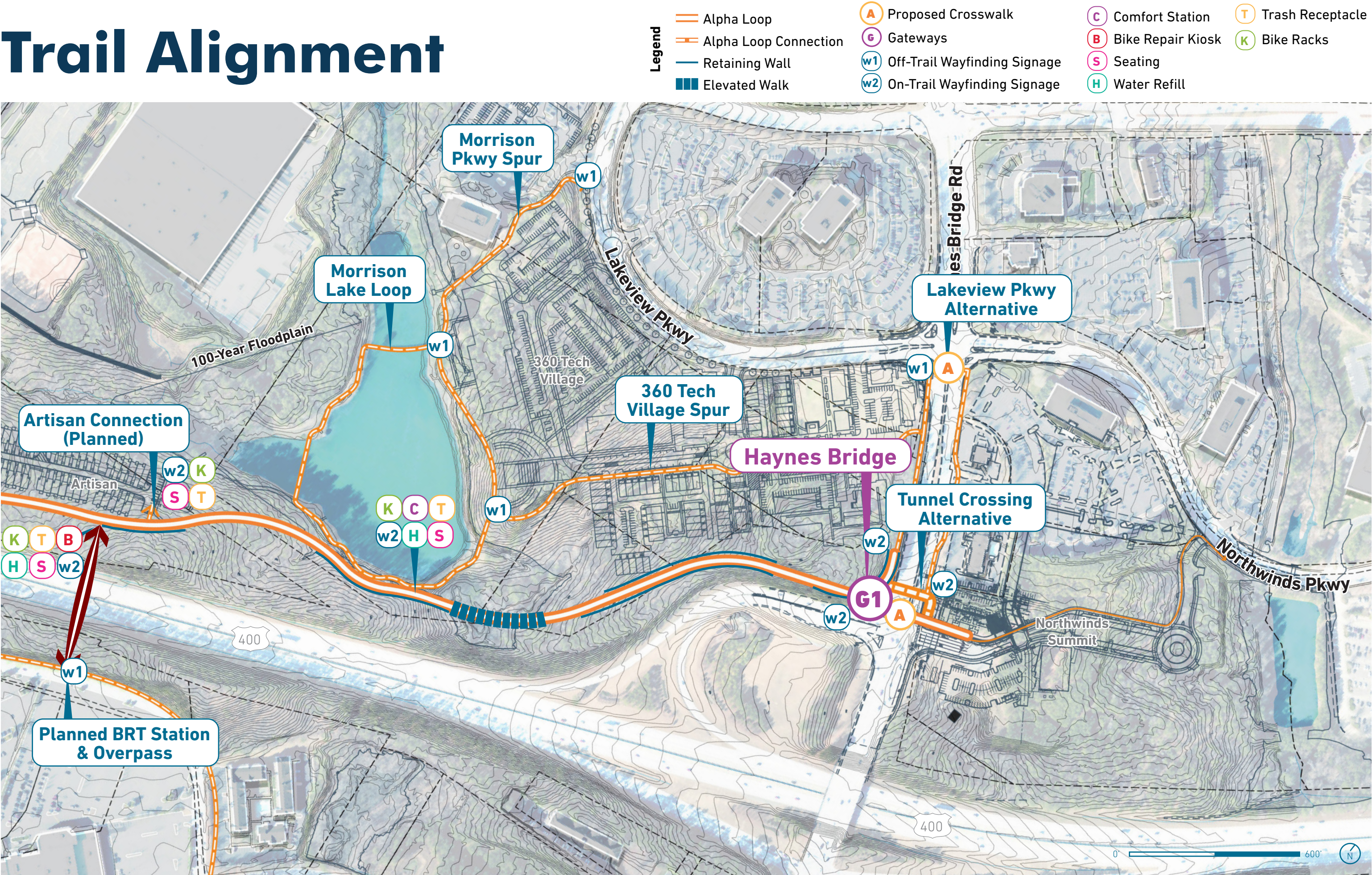
Aerial image of the Study Area (looking southwest)

Focus Area #1 Inspiration



The quality and character of Focus Area #1 leverages the natural beauty and diversity of the landscaped buffer along Georgia 400

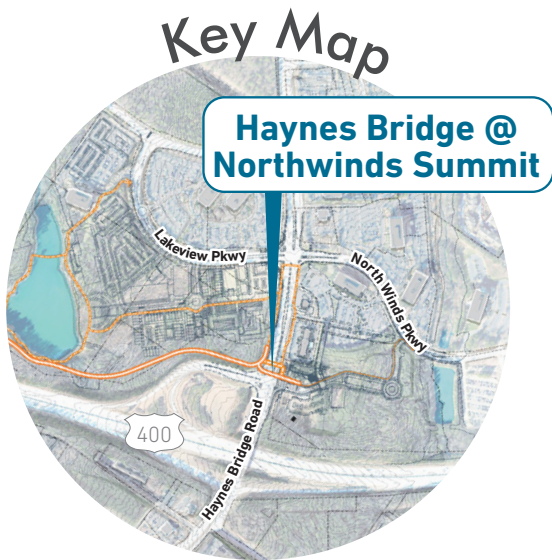
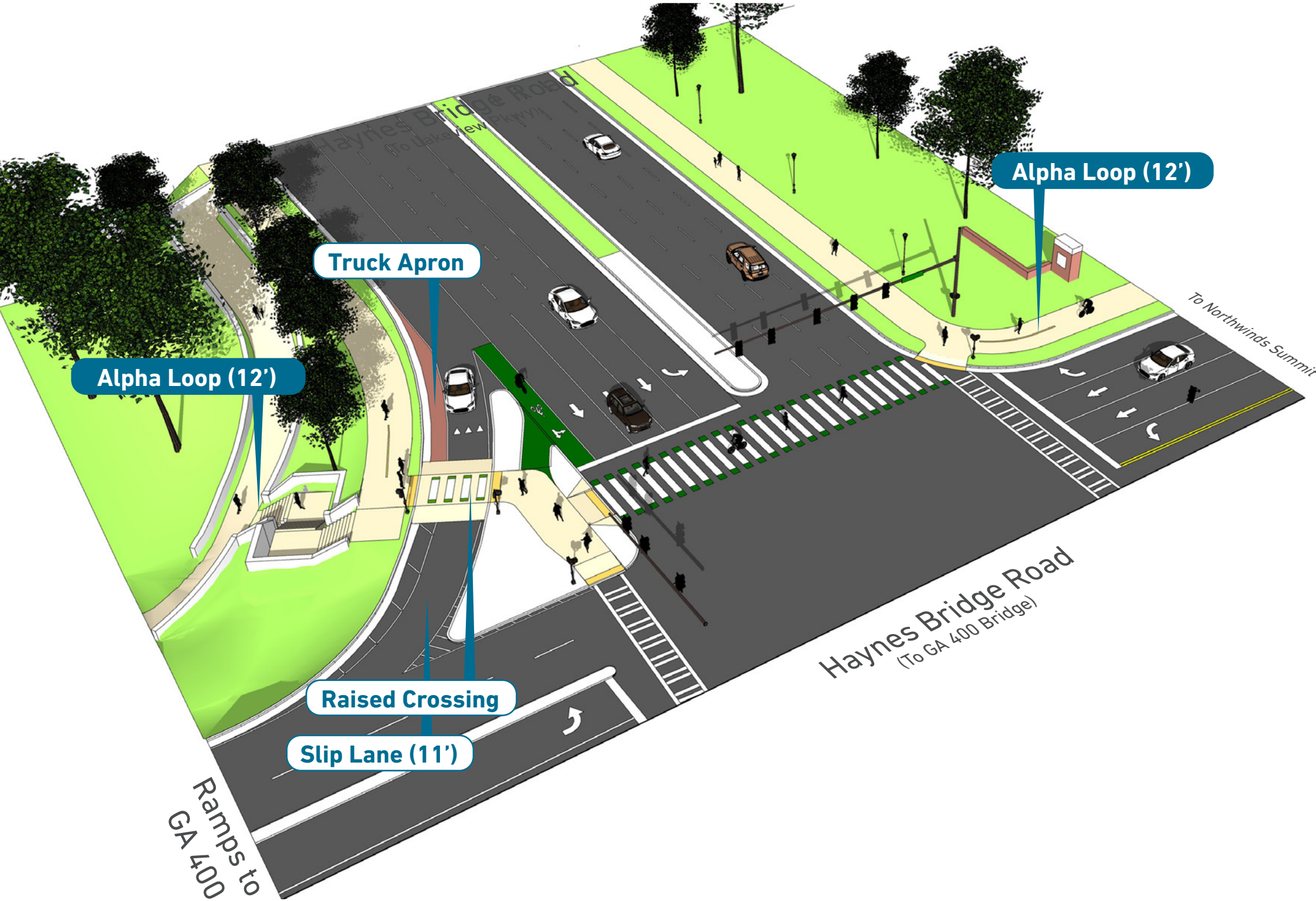
Trail Alignment



Haynes Bridge Rd

At Grade Crossing

- Channelized Right-Turn onto SB-400 On-Ramp Accommodates a WB-67.
- No Right On Red & Right Only Signal Phased Separately From Crosswalk Signal.
- If There Are Issues With Yielding Compliance At Raised Crossing, Rectangular Rapid Flashing Beacons Or Right-Turn Signal Control Could Be Added For The Southbound Channelized Right-Turn.
- Signage: A R1-5 Mod With W17-16p Should Be Placed At The Yield Lines At Southbound Channelized Right-Turn.



Haynes Bridge Rd

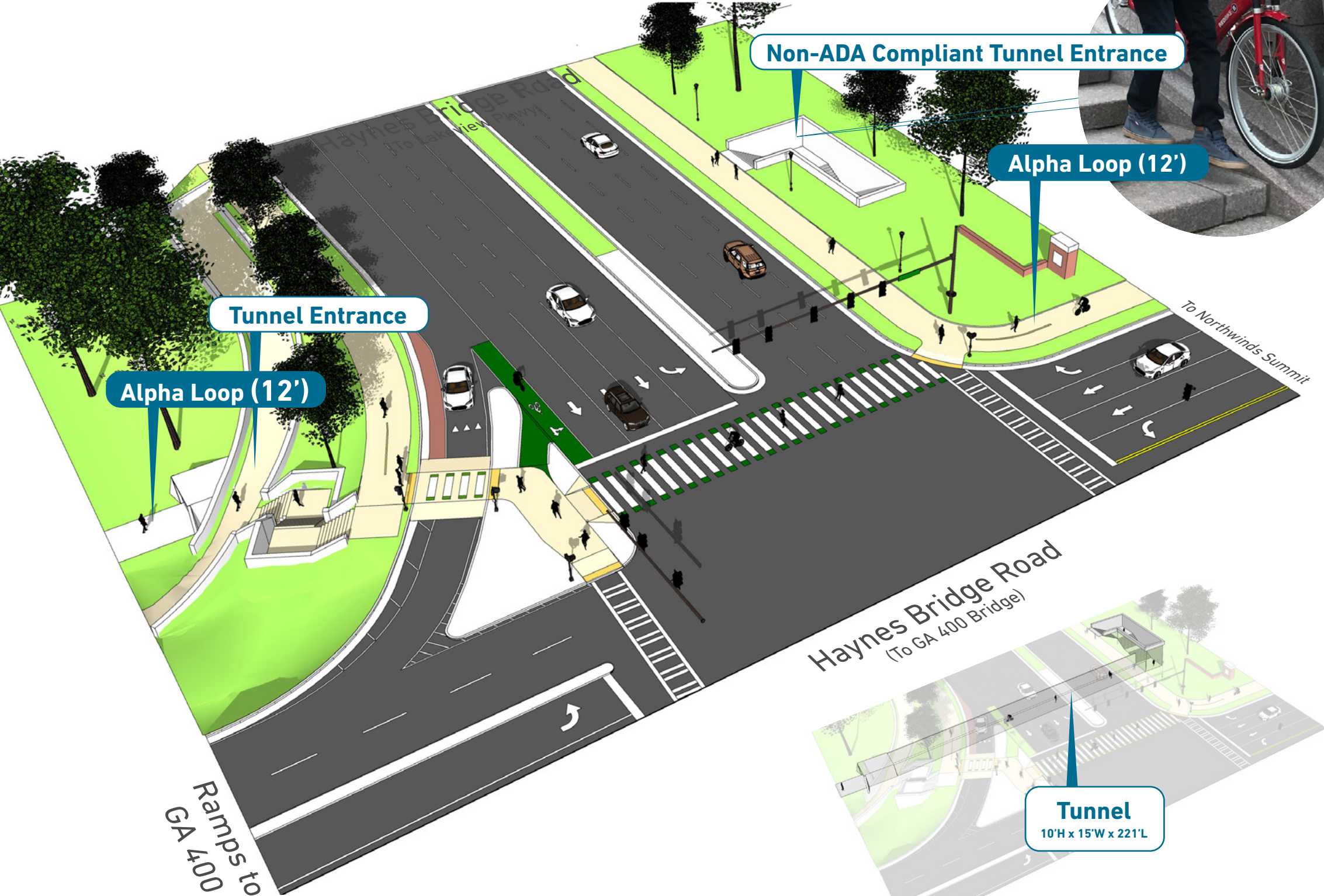
Tunnel Crossing

Working Assumptions

- Deepest Utility: 36" (16" Water Main)
- Min. Clearance From Utility: 36"
- Tunnel Width: 15'
- Tunnel Height: 10'
- Depth Of Top Of Tunnel Structure: 2'

Stairwell Conditions

- Width: 16' Total (12' Trail + 2' Clearance For Bike Channels, Both Directions)
- 12' Trail: 4' Bikeways (Both Directions) And 4' Center Walkway
- Riser Height: 6" ; Tread Depth: 12"
- Landings Every 5-7.5' Of Rise (12' Maximum Rise Per Building Code)
- Retaining Wall Depth: 18"



Key Map

Haynes Bridge @
Northwinds Summit



Focus Area #2

Connecting the North Point Area

Parallel to the development of GDOTs SR400 Express Lanes project, MARTA is planning Bus Rapid Transit (BRT) service along the 400 Corridor with a planned BRT station at the North Point Mall. The final location of this station and its connection to the Alpha Loop will be a function of the GDOT Express Lanes project and ongoing redevelopment of the mall site.

The alignment of the trail continues to follow the forested buffer along GA400, meandering generously to respect the existing topography and preserve mature tree canopy. Community connections occur at regular intervals, providing ample access from the adjacent neighborhood and businesses. The trail connects to Encore Parkway at the intersection of Fanfare Way, where an enhanced east/west crossing allows for fluid connections to adjacent development and bike infrastructure along the southbound lanes of Encore.

Along Encore Parkway, the mainline Alpha Loop trail travels adjacent to the northbound travel lanes. To accommodate a 12ft wide multi-use trail cross section, the sidewalk is expanded along the length of the Parkway to encompass the existing northbound bike lane. To enhance connections to the North Point Mall and future BRT Station, a grade-separated Alpha Loop trail extension is created along North Point Center E by recapturing the outermost east-bound lane of traffic. Paving, planting, signage and markings along these segments are consistent with the Alpha Loop Design Standards and delineate it as part of the larger system.

As a step towards the larger Encore Parkway and North Point Center East improvements described above, buffered bike lanes are proposed as an interim improvement to quickly provide physical separation between vehicles and trail users. These enhancements present an opportunity to quickly and relatively cheaply improve the comfort and safety of the multimodal transit options in the district.

Encore Pkwy near Fanfare Way (looking northwest)



Encore Pkwy near North Point Pkwy (looking north)



Forested Buffer along Georgia 400 (looking south)



North Point Center E near Encore Pkwy (looking northeast)

Aerial image of the Study Area (looking northeast)



Georgia 400 Center

Northwinds

Northwinds Summit

Artisan

Fulton Science Academy

North Point Mall

Encore Commons

Maxwell Rd

Arts Summit Rd

Tempo Ln

Westside Pkwy

Fanfare Way

400

North Point Center E

Encore Pkwy

Encore at Northpoint



Focus Area #2 Trail Inspiration



Scioto Audubon Metro Park



Scioto Audubon Metro Park



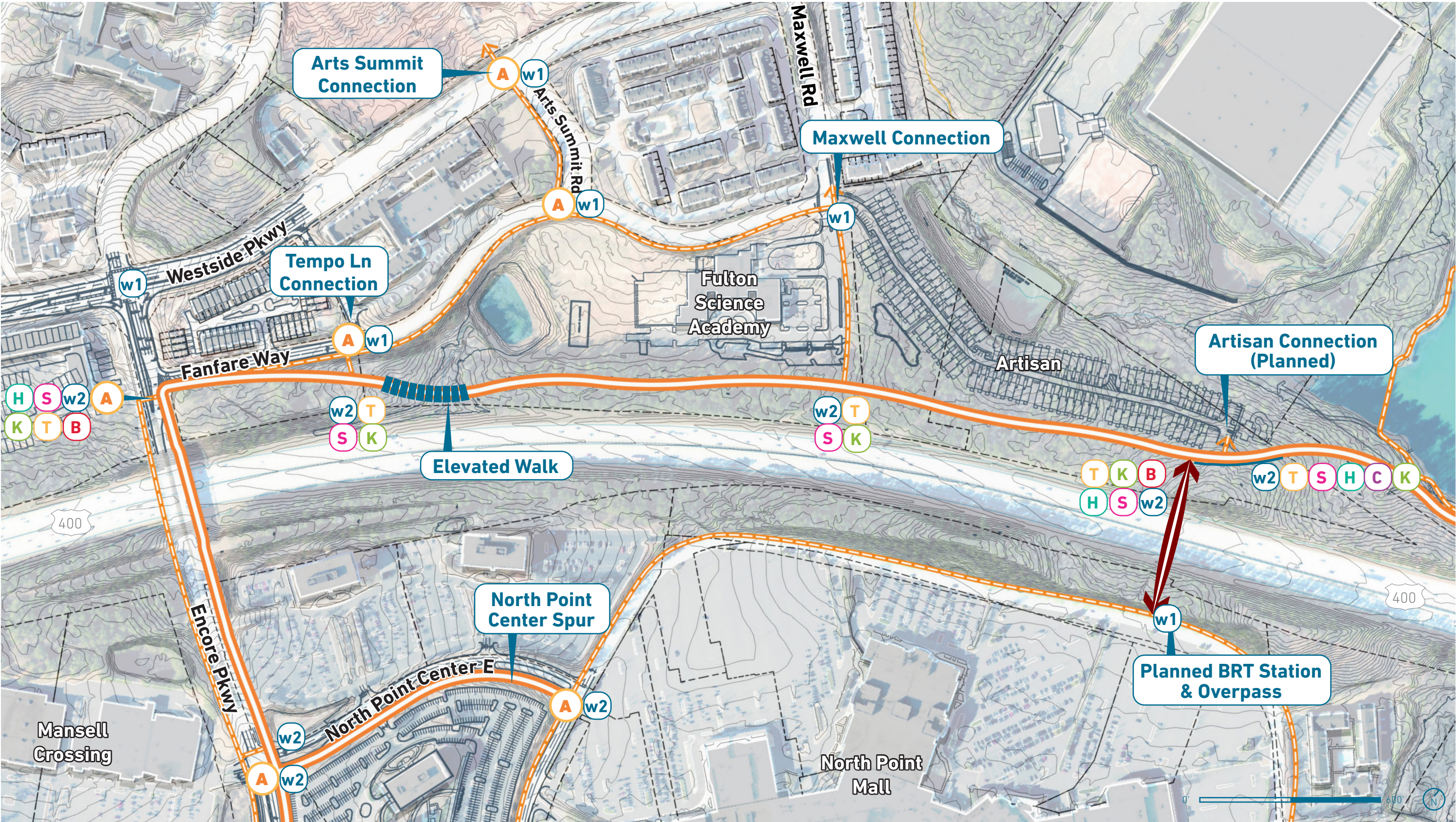
Atlanta Beltline Eastside Trail Art Installation



Trout Run Trail Art Installation

Focus Area #2 leverages its proximity to the surrounding community and provides ample opportunity for trailside art and amenities.

Trail Alignment



Focus Area #2 Streetscape Inspiration



State Street Multi-use Trail



Protected Bike Lane



Protected Bike Lane

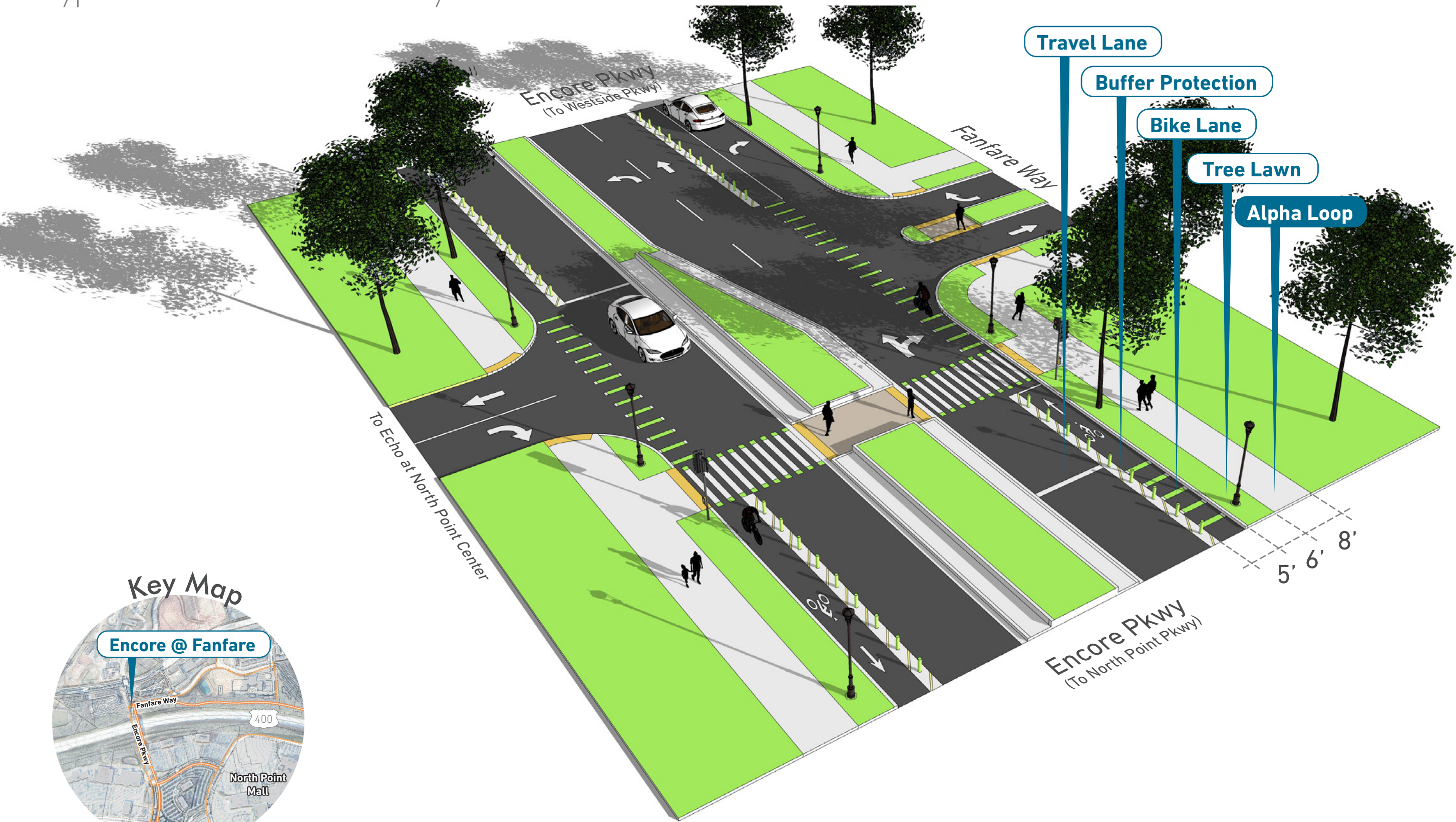


Alpha Loop Trail Marker

Streetscape within Focus Area #2 feature design elements that improve their safety, comfort, and sense of place.

Encore Pkwy

Typical Section - Fanfare Way Intersection



Travel Lane

Buffer Protection

Bike Lane

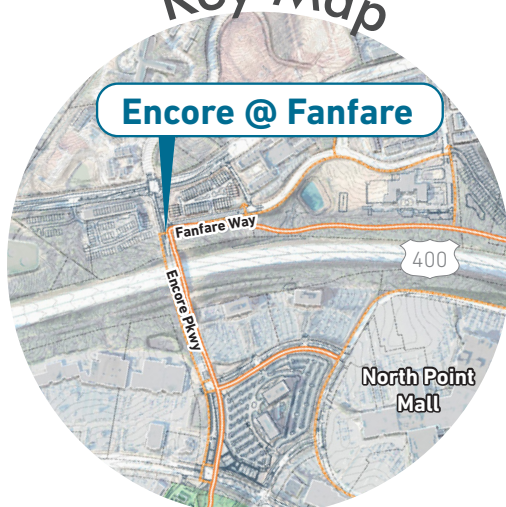
Tree Lawn

Alpha Loop

5' 6' 8'

Key Map

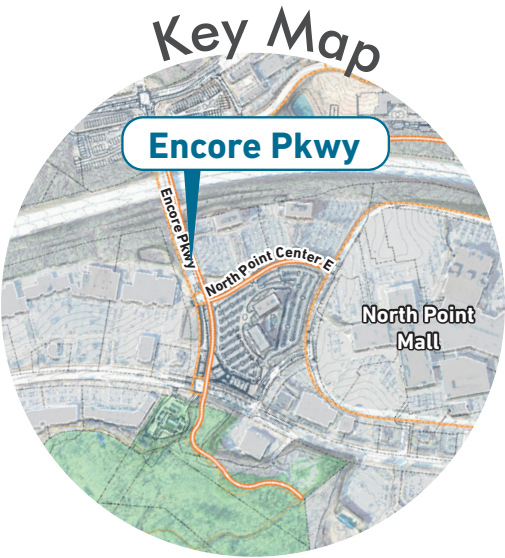
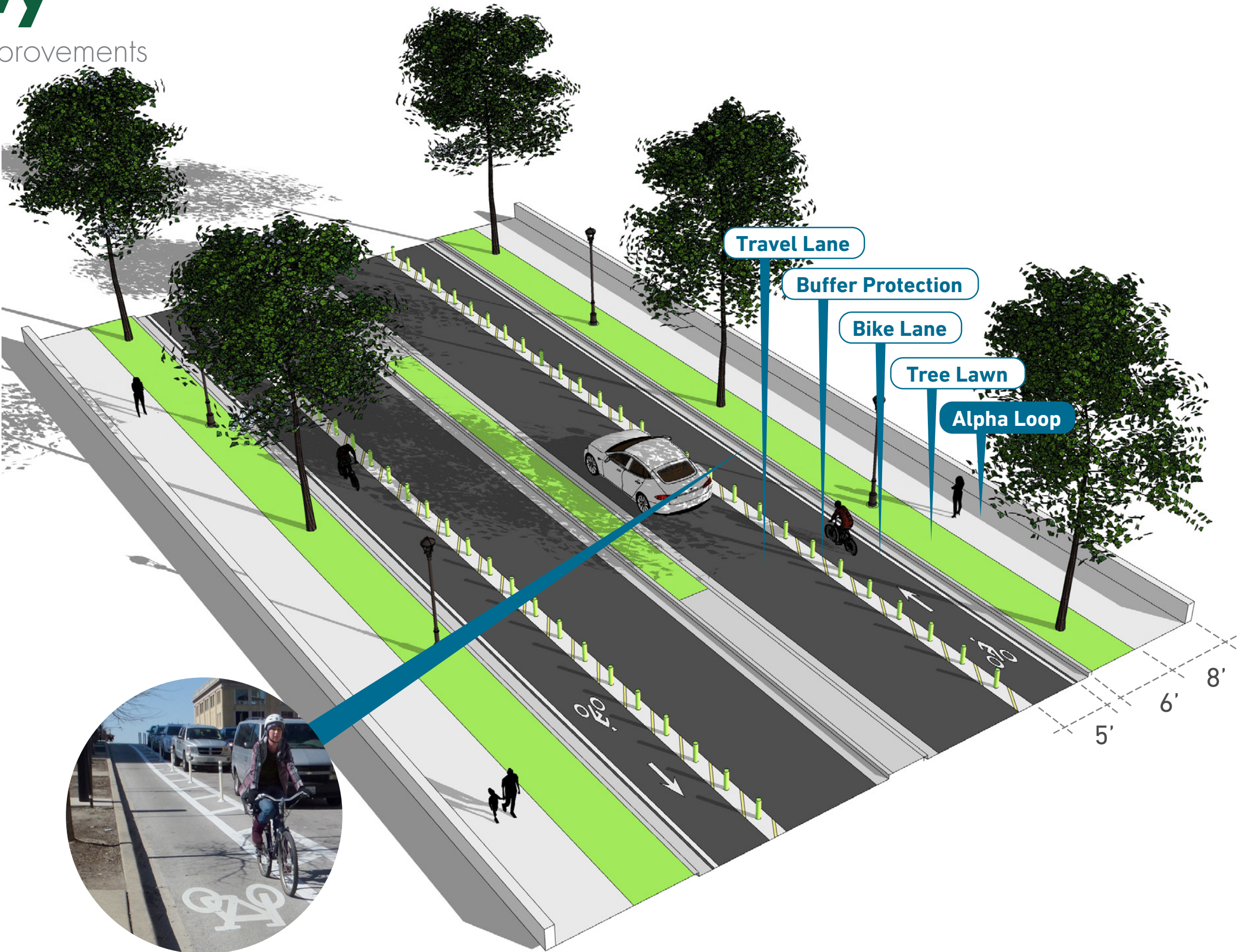
Encore @ Fanfare



Encore Pkwy

Typical Section - Interim Improvements

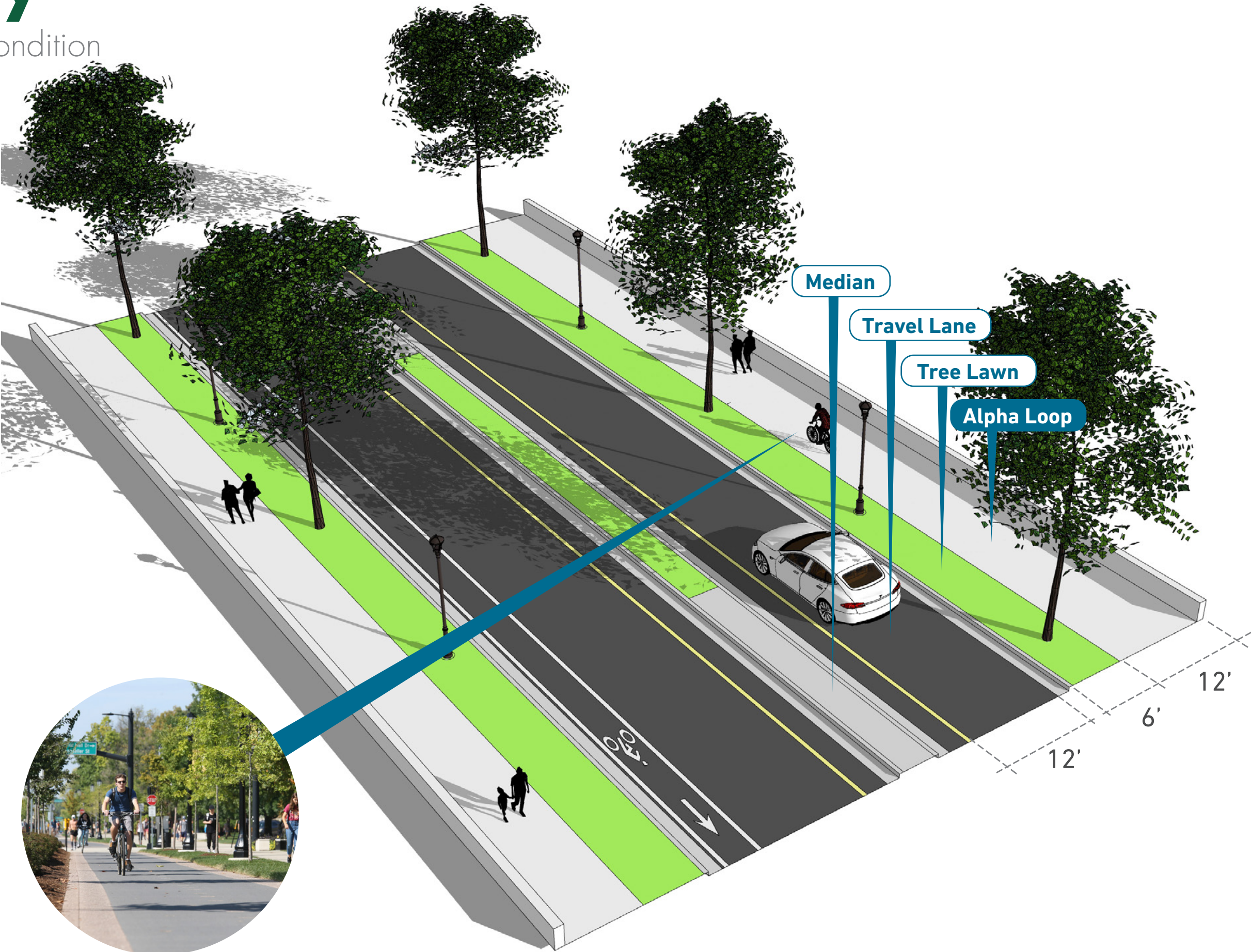
- Cyclists on-street or shared on 8ft multi-use path
- Street section modified to include a 5ft protected bike lane - use of signage and markings to delineate Alpha Loop



Encore Pkwy

Typical Section - Desired Condition

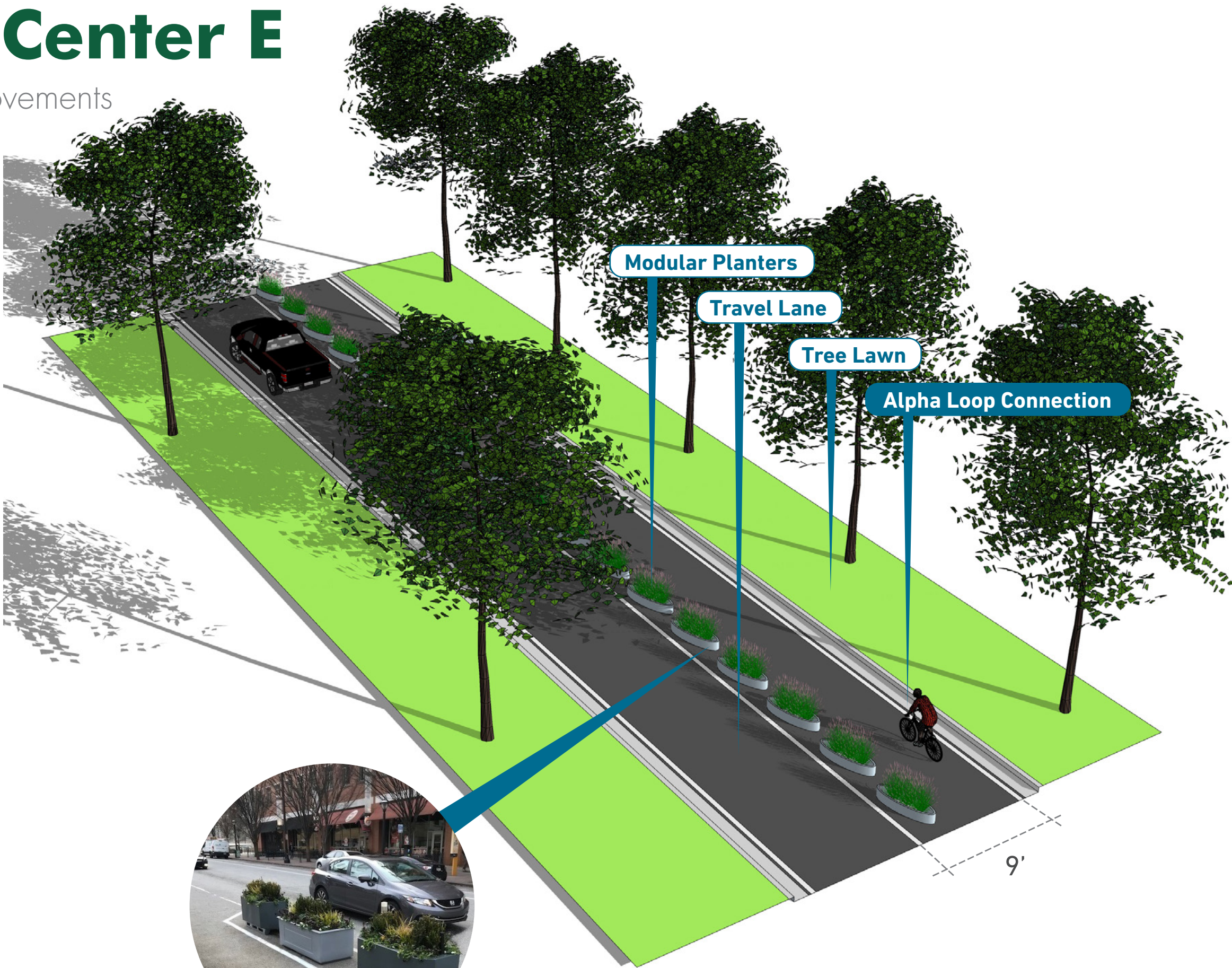
- Sidewalk section expanded to encompass north bound bike lane
- Expanded sidewalk paving and planting areas, along with signage and markings to delineate Alpha Loop



North Point Center E

Typical Section - Interim Improvements

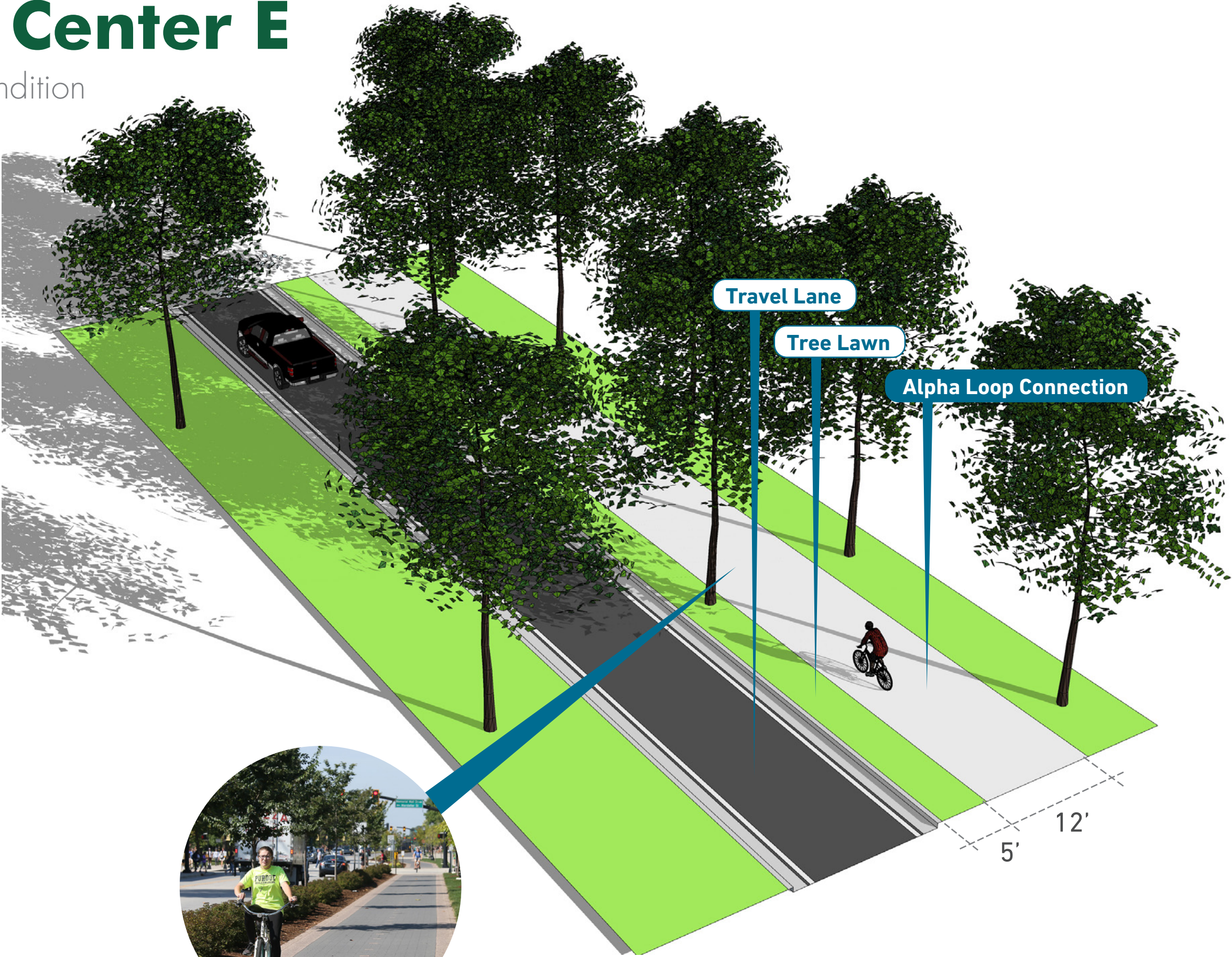
- No change to street section
- Separated Alpha Loop trail delineated with planters on outer east-bound lane.
- Trail width approximately 8-9ft, excluding gutter.



North Point Center E

Typical Section - Desired Condition

- Creation of grade-separated Alpha Loop trail using outer east-bound lane
- Trail width 12ft with 5ft tree lawn



Focus Area #3

Entering the Big Creek Greenway

The final leg of the connection to the Big Creek Greenway involves crossing North Point Parkway at Encore Parkway and routing to the Big Creek Greenway trail. The North Point Creative Placemaking plan has developed concepts for safe and creative crossings of the Parkway, and the City of Alpharetta has coordinated with private property owners to allow access down to the Greenway. A signature Gateway Park at this location provides a trailhead and public greenspace at the junction of Alpharetta's two major trail networks: The Alpha Loop and the Big Creek Greenway.

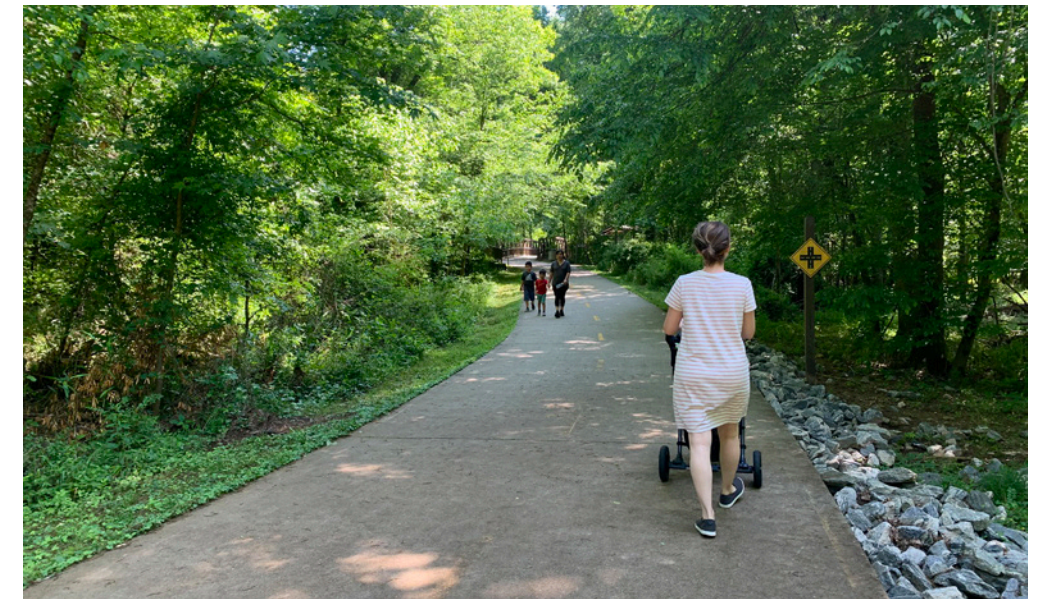
Gateway Park presents a tremendous opportunity to connect the Alpharetta community and North Point district to one of the City's greatest green assets. The connection from North Point Parkway to the Big Creek Greenway provides strong visibility, great access, significant placemaking potential, and highly valuable public green space to anchor the future redevelopment of the North Point corridor.

Further planning and coordination is recommended to fully realize the opportunity for a signature Gateway Park at this location.

Intersection of North Point Pkwy & Encore Pkwy (looking south)



Big Creek Greenway from North Point Pkwy (looking south)



Big Creek Greenway near North Point Pkwy Trailhead (looking south)

Aerial image of the Study Area (looking north)



Fulton Science Academy



North Point Mall

Mansell Crossing



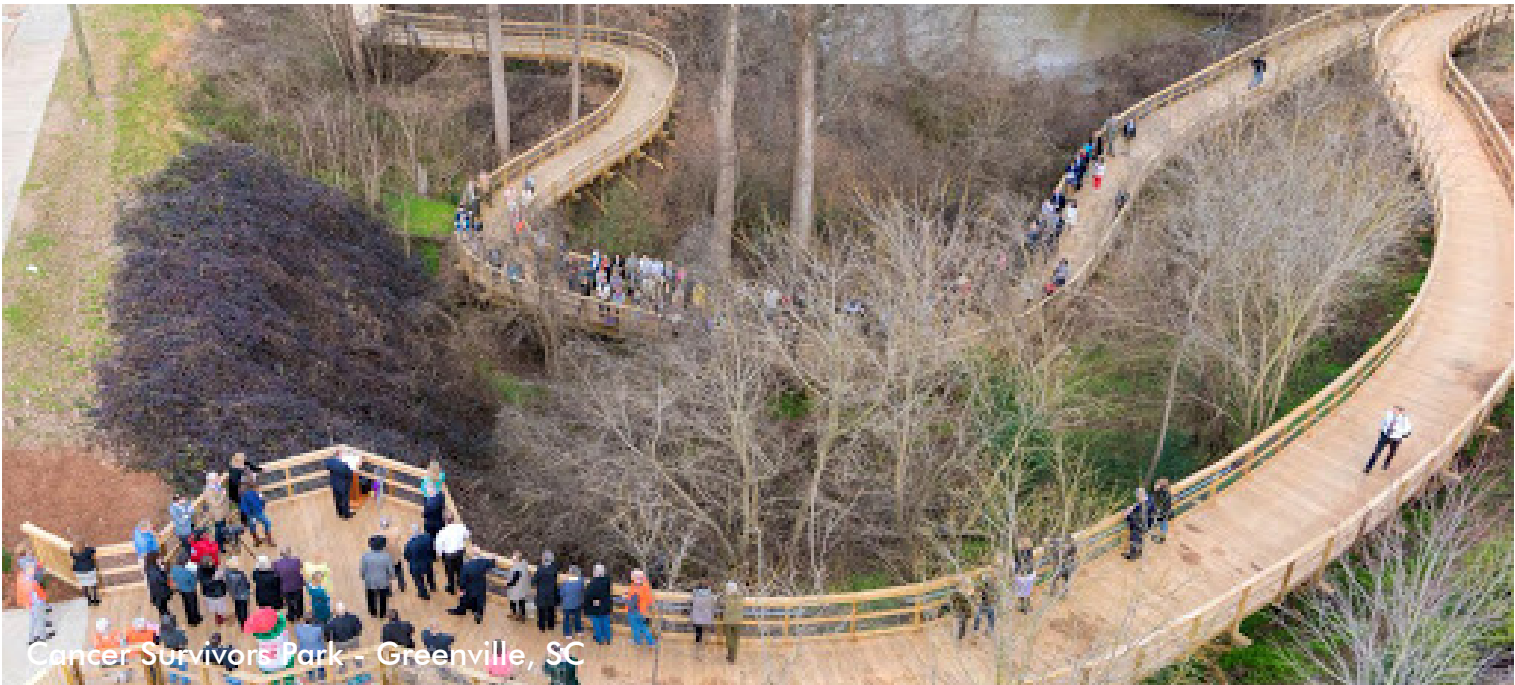
Encore Commons

Encore Pkwy

North Point Pkwy

Big Creek Greenway

Focus Area #3 Inspiration

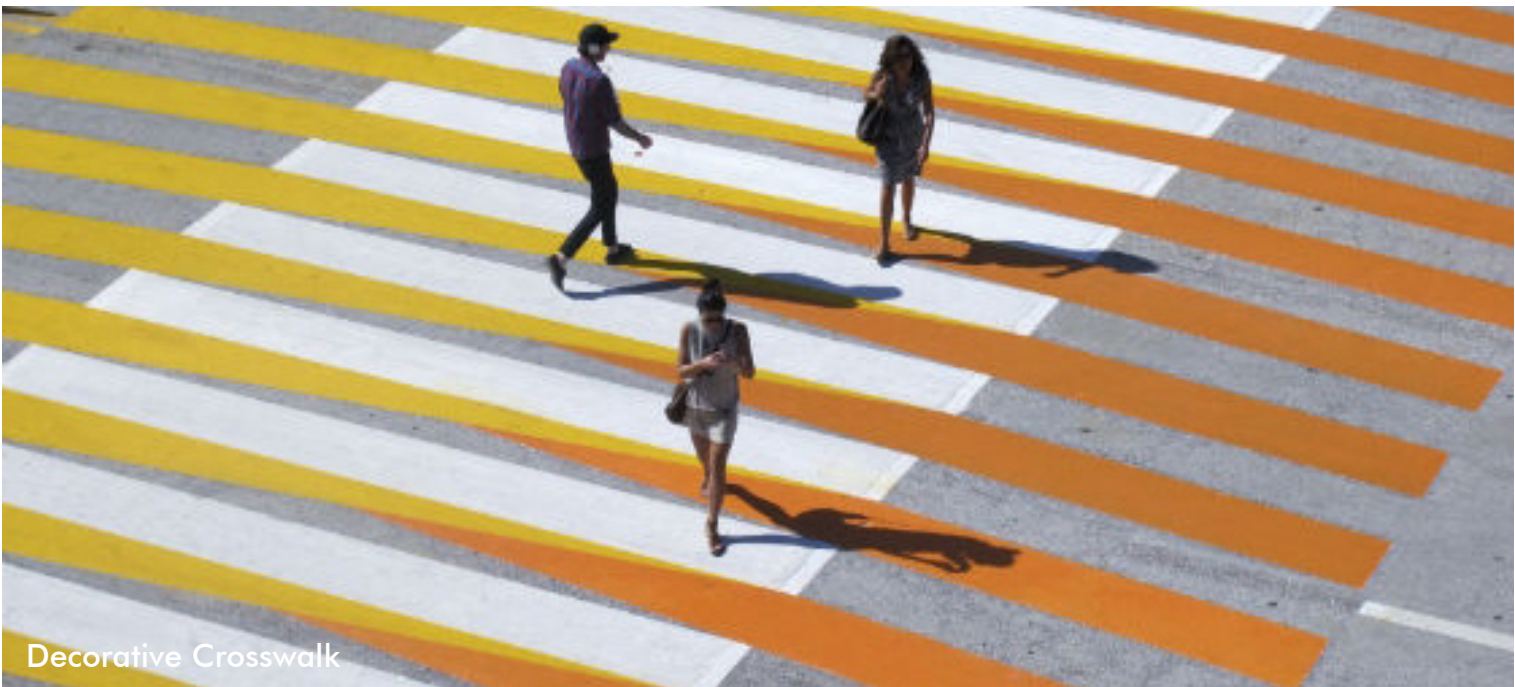
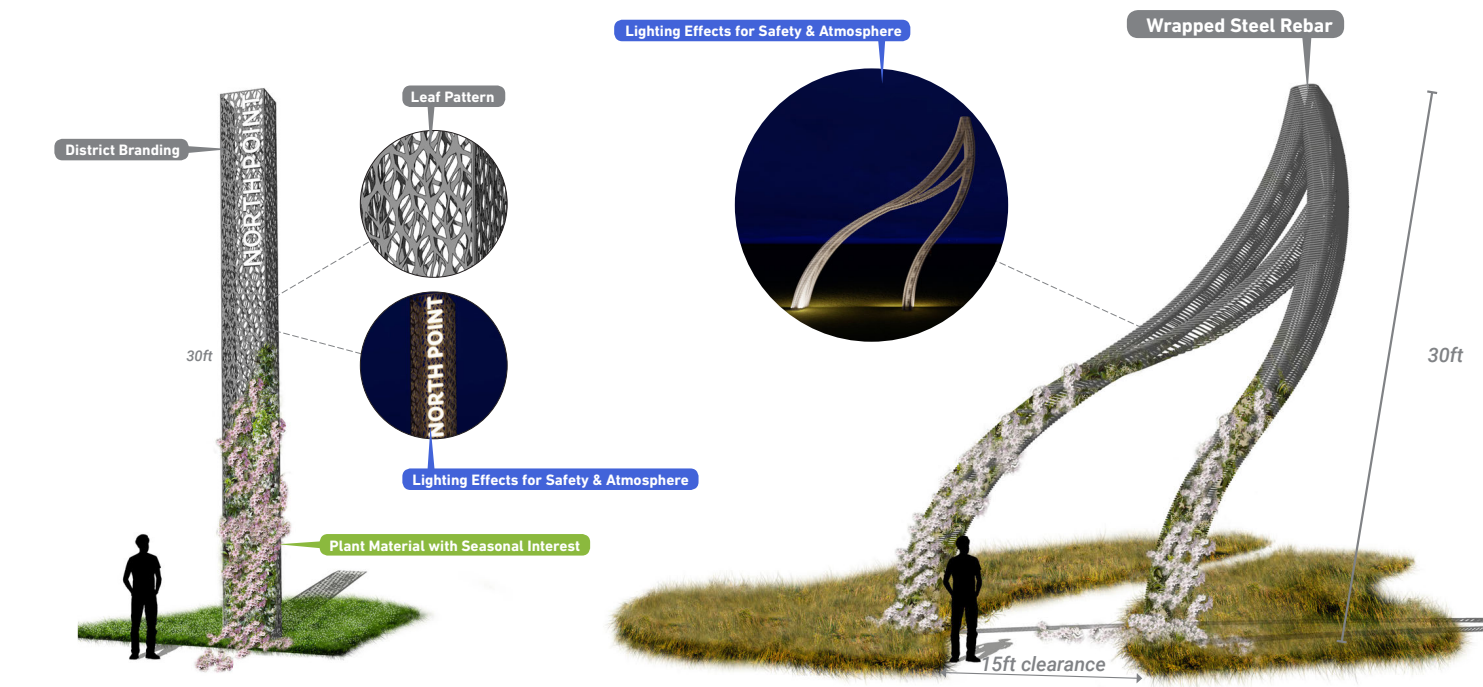


Focus Area #3 leverages the natural quality and character of the Big Creek Greenway.

Trail Alignment



North Point Parkway Crossing Inspiration

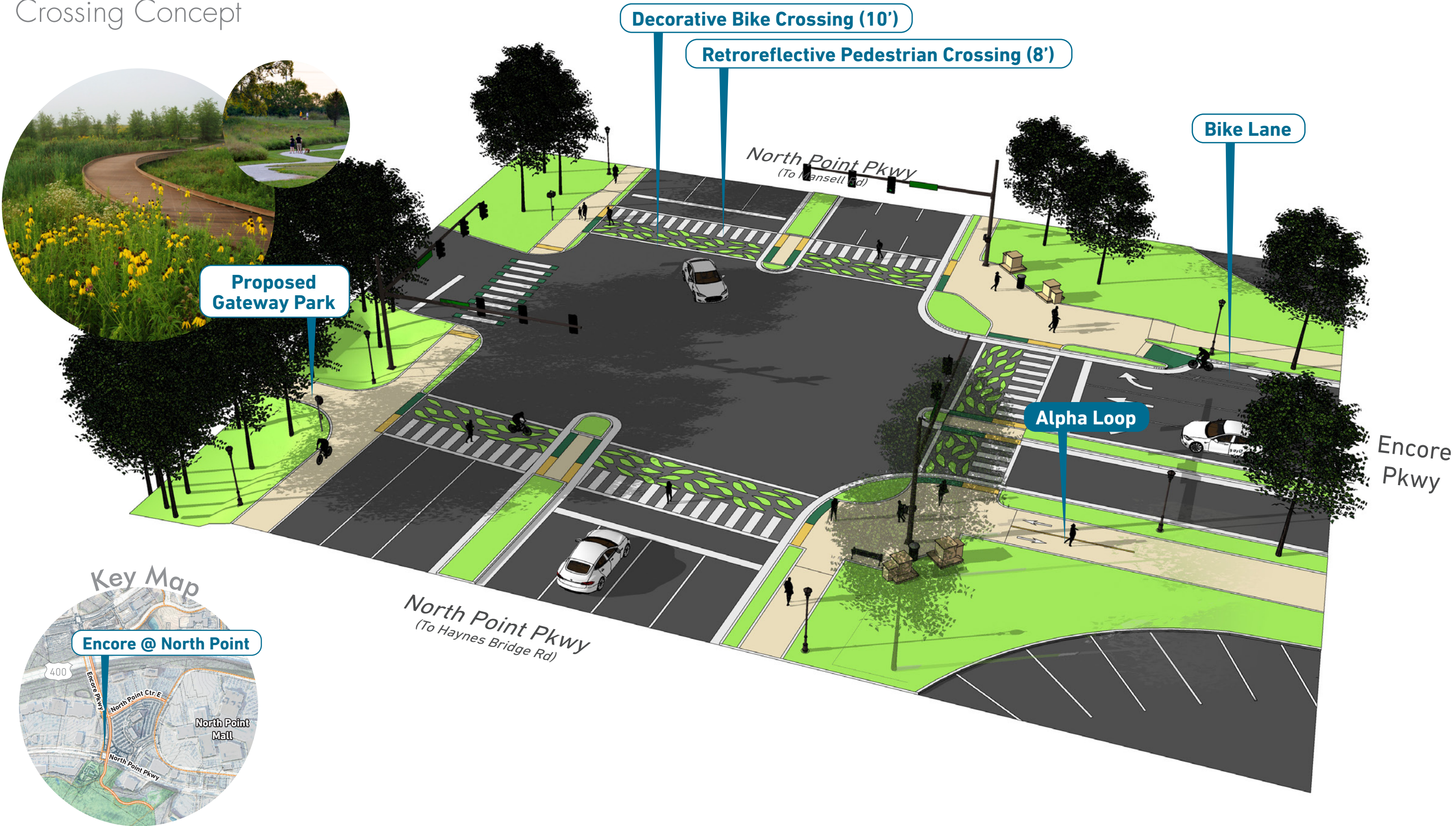


Gateway & Intersection Concepts - North Point Creative Placemaking Plan

The North Point Parkway crossing is guided by the strategies set forth in the North Point Creative Placemaking Plan

North Point Pkwy

Crossing Concept





Cost & Constructability

Section 04



Cost & Constructability

Overview

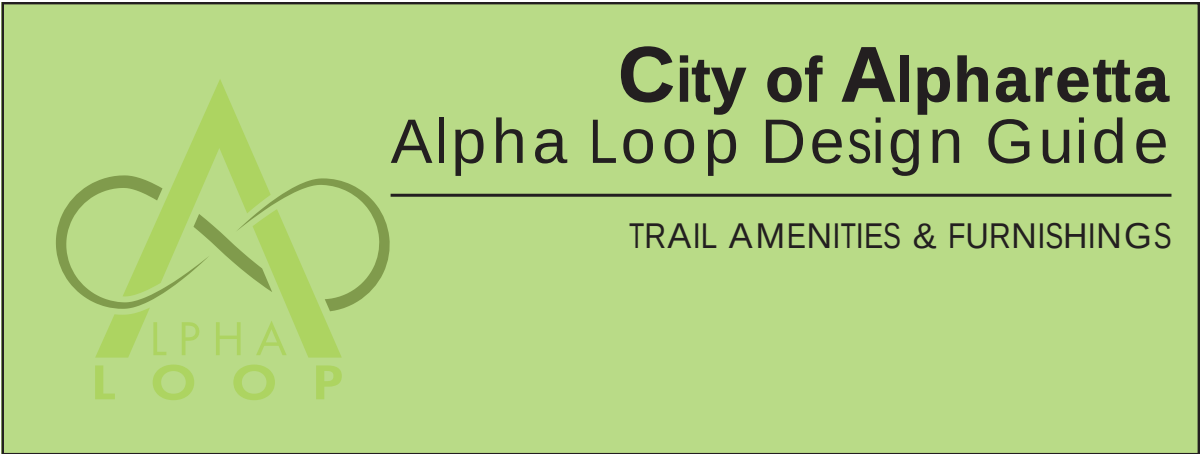
Along the Alpha Loop extension, all major investments are intended to encourage use from the community and ensure safe integration of multimodal and accessible transportation for pedestrians, cyclists, and vehicles alike. Along roadways most costs are attributed to new signalization, restriping, and widening of walks to accommodate a higher volume of pedestrian activity. Conversely, major costs along off-road trails are linked to grading, retaining walls, and elevated trail structures required for the creation of an accessible route and preservation of natural features.

Key additions of site furnishings, plantings, lighting, and signage in convenient locations for trail users will also help to create a cohesive identity for the Alpha Loop. The thoughtful application of these signature placemaking qualities will distinguish the trail as an important piece of public infrastructure, driving further economic investment and community pride.

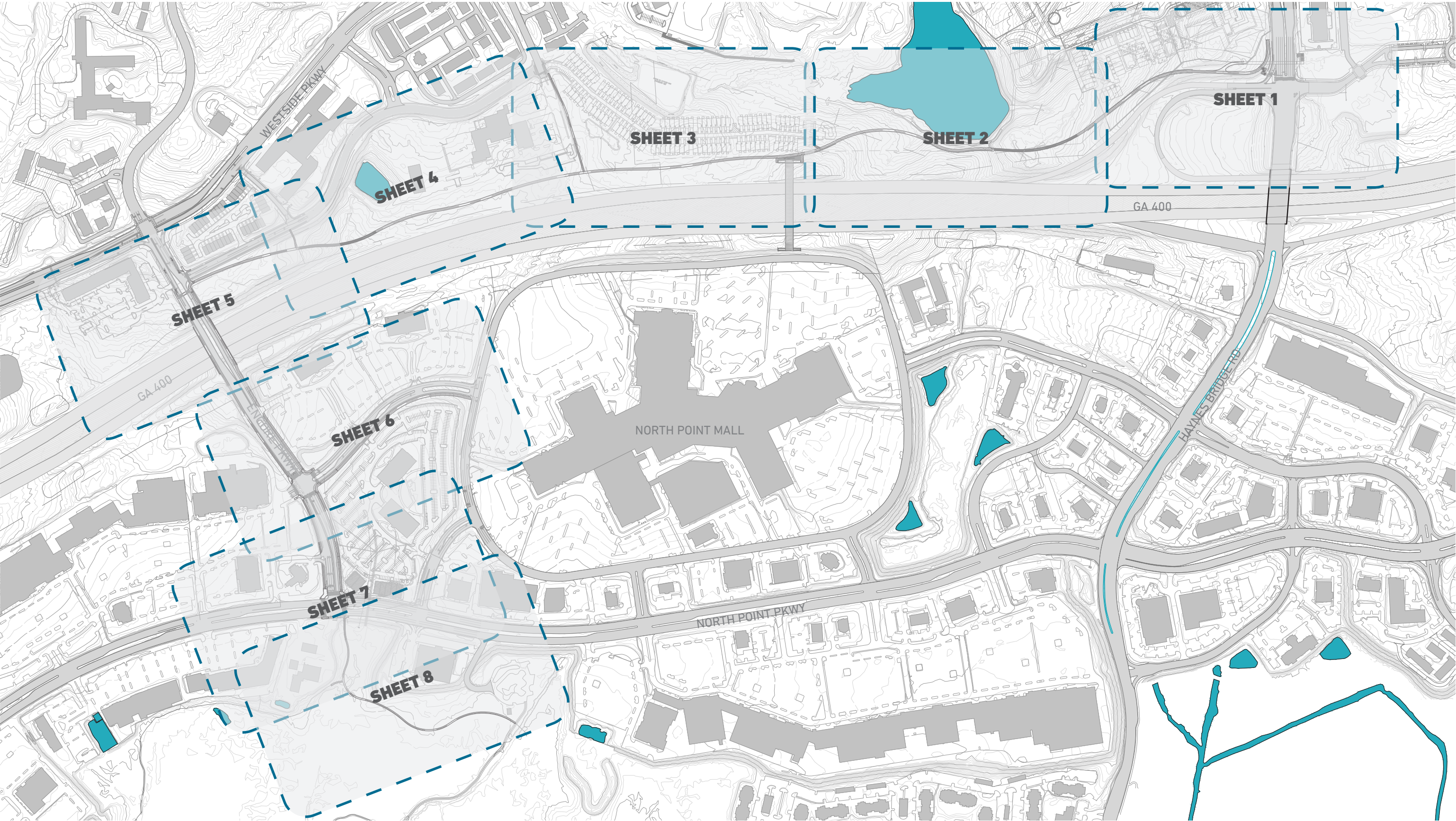
The design and amenitization of the trail is consistent with the strategies set forth in the City of Alpharetta Alpha Loop Design Guide and aligned with industry best practices for bicycle and pedestrian facilities. In order to identify distinct construction phases within the overall Alpha Loop extension, each of the Focus Areas and related costs were organized based on the general type of construction and mobilization anticipated.

The following pages illustrate the final conceptual trail alignment, highlighting key amenity locations, at-grade and elevated trail sections, and recommendations for intersection improvements to improve pedestrian safety.

City of Alpharetta Alpha Loop Design Guide



Key Map



Sheet 1

Trailside Amenities Legend

- w1

Off-Trail Wayfinding Signage
- w2

On-Trail Wayfinding Signage
- C

Comfort Station
- T

Trash Receptacle
- B

Bike Repair Kiosk
- S

Seating
- H

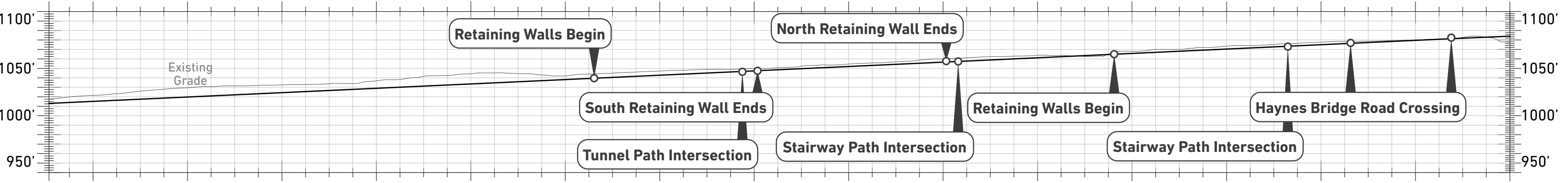
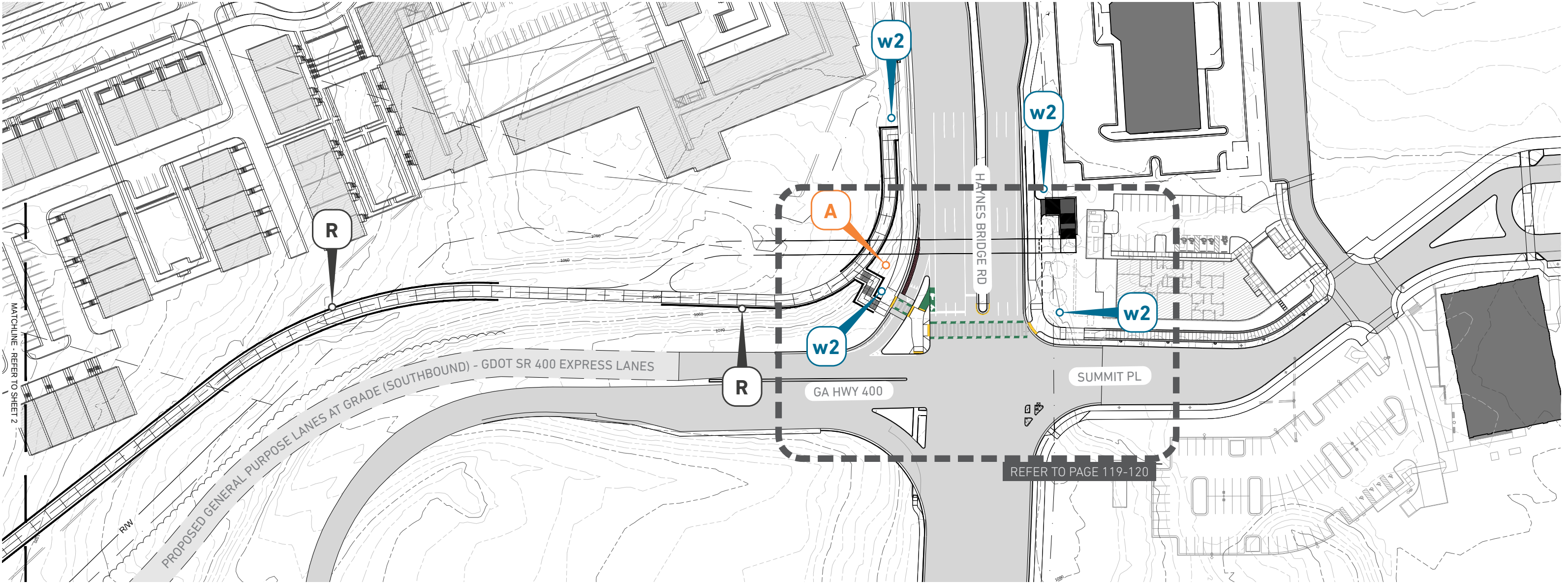
Water Refill
- K

Bike Racks
- A

"Alpha" Sculpture
- R

Retaining Wall
- E

Elevated Trail



Sheet 2

Trailside Amenities Legend

- w1

Off-Trail Wayfinding Signage
- w2

On-Trail Wayfinding Signage
- C

Comfort Station
- T

Trash Receptacle
- B

Bike Repair Kiosk
- S

Seating
- H

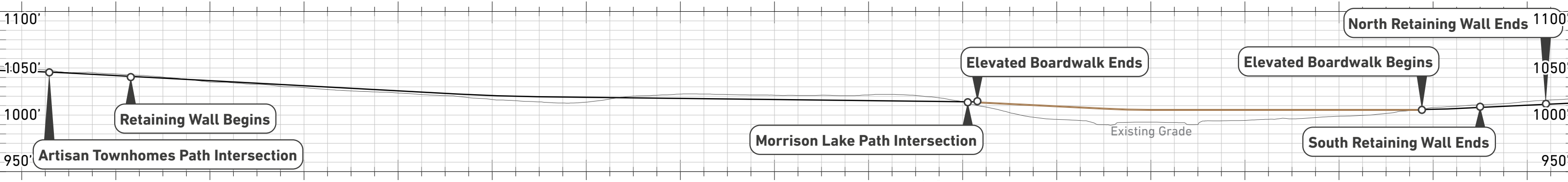
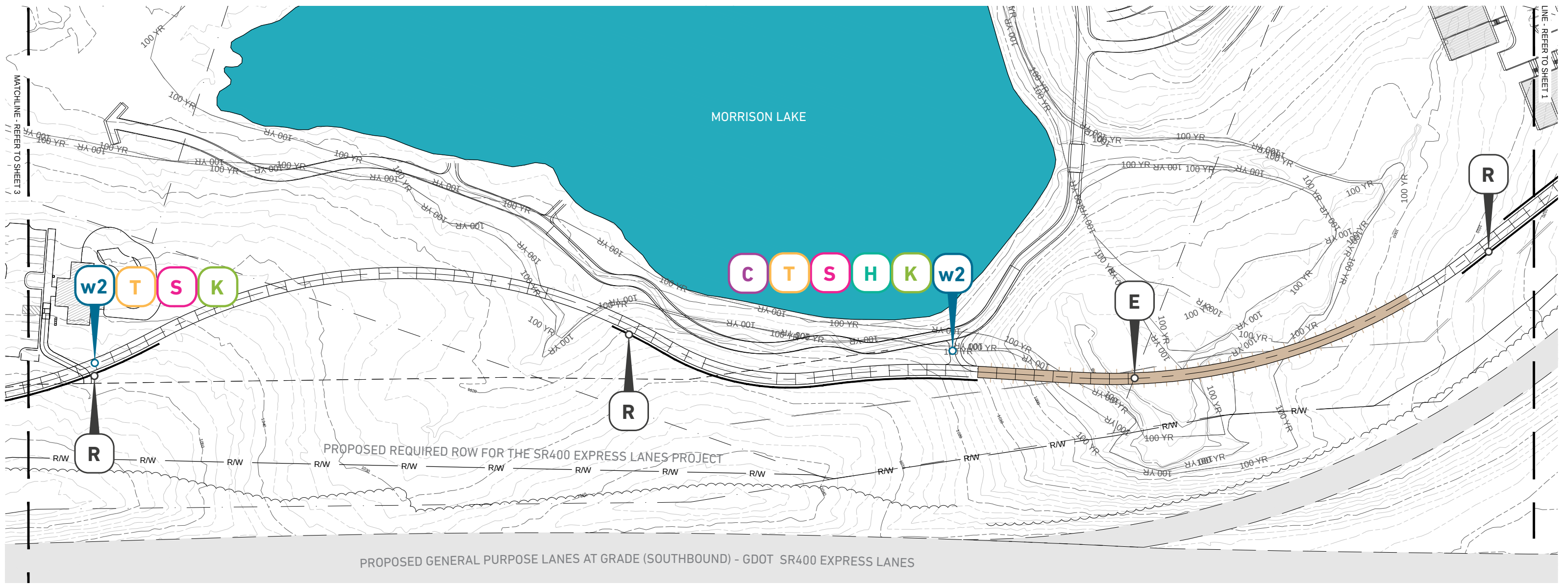
Water Refill
- K

Bike Racks
- A

"Alpha" Sculpture
- R

Retaining Wall
- E

Elevated Trail

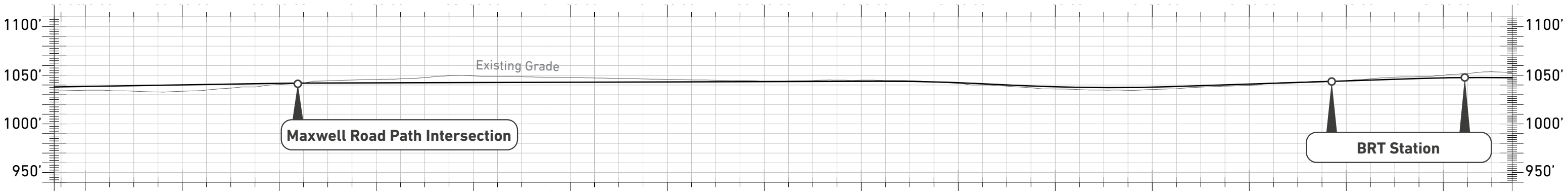
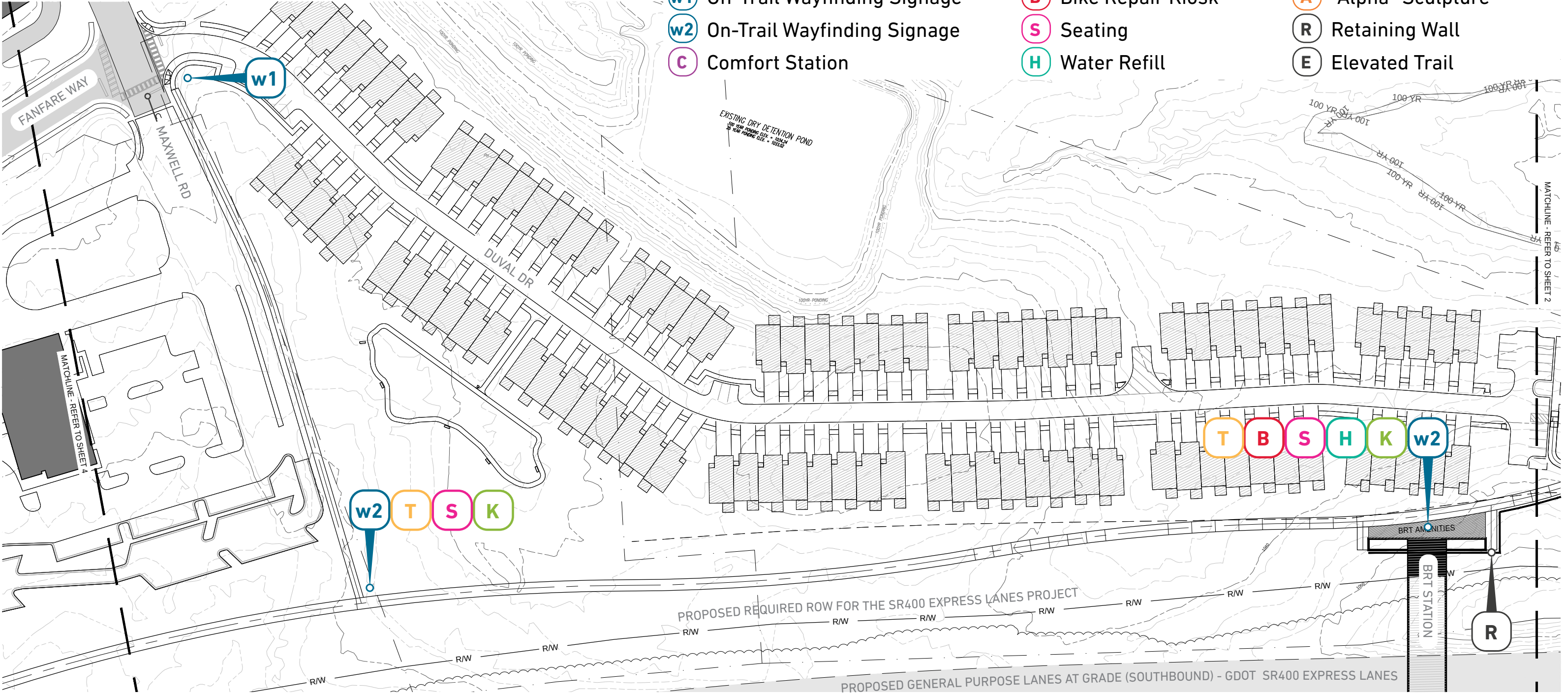


Sheet 3

Trailside Amenities Legend

- w1 Off-Trail Wayfinding Signage
- w2 On-Trail Wayfinding Signage
- C Comfort Station

- T Trash Receptacle
- B Bike Repair Kiosk
- S Seating
- H Water Refill
- K Bike Racks
- A "Alpha" Sculpture
- R Retaining Wall
- E Elevated Trail



Sheet 4

Trailside Amenities Legend

- w1

Off-Trail Wayfinding Signage
- w2

On-Trail Wayfinding Signage
- C

Comfort Station
- T

Trash Receptacle
- B

Bike Repair Kiosk
- S

Seating
- H

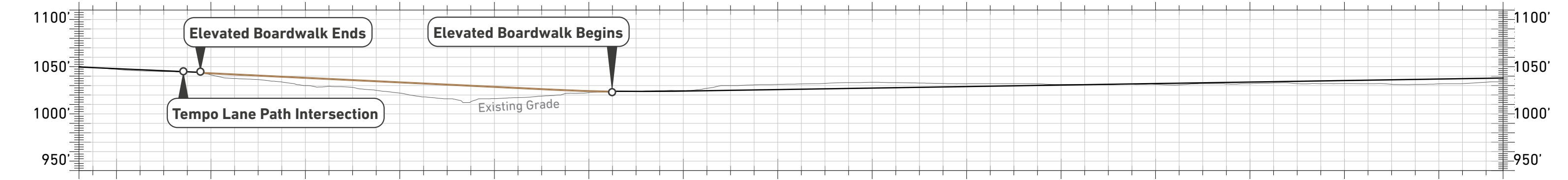
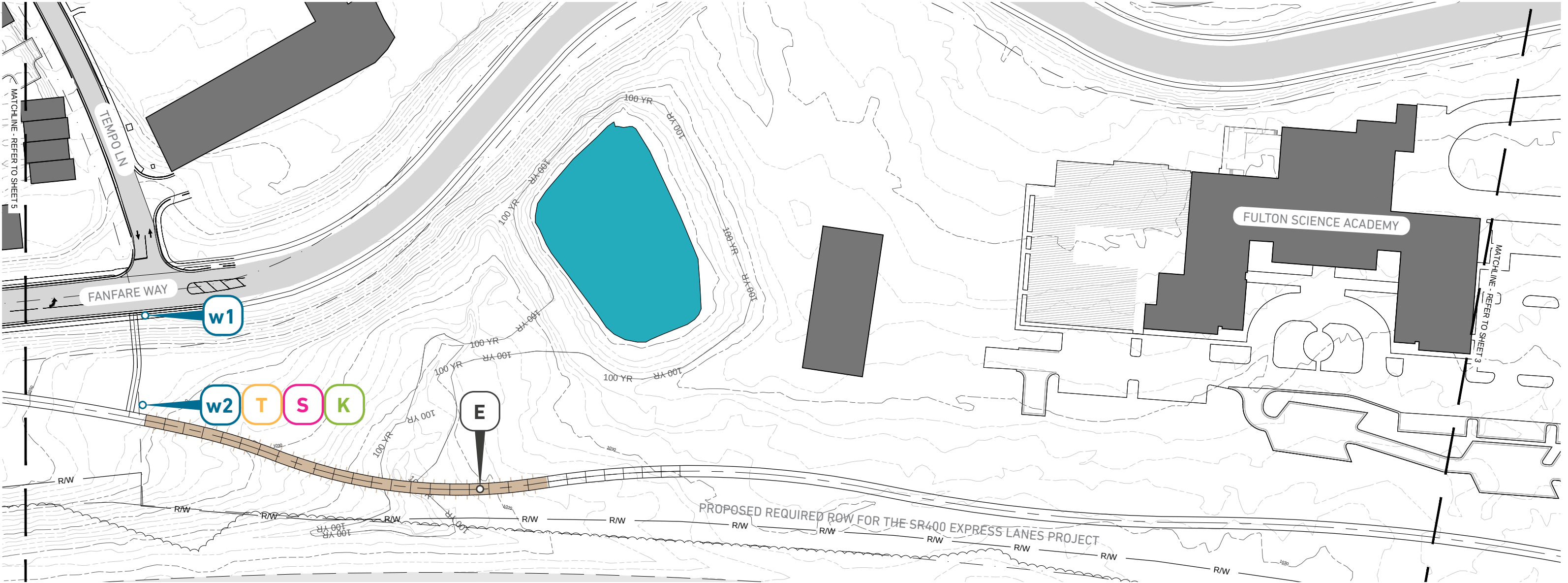
Water Refill
- K

Bike Racks
- A

"Alpha" Sculpture
- R

Retaining Wall
- E

Elevated Trail



Sheet 5

Trailside Amenities Legend

- w1

Off-Trail Wayfinding Signage
- w2

On-Trail Wayfinding Signage
- C

Comfort Station
- T

Trash Receptacle
- B

Bike Repair Kiosk
- S

Seating
- H

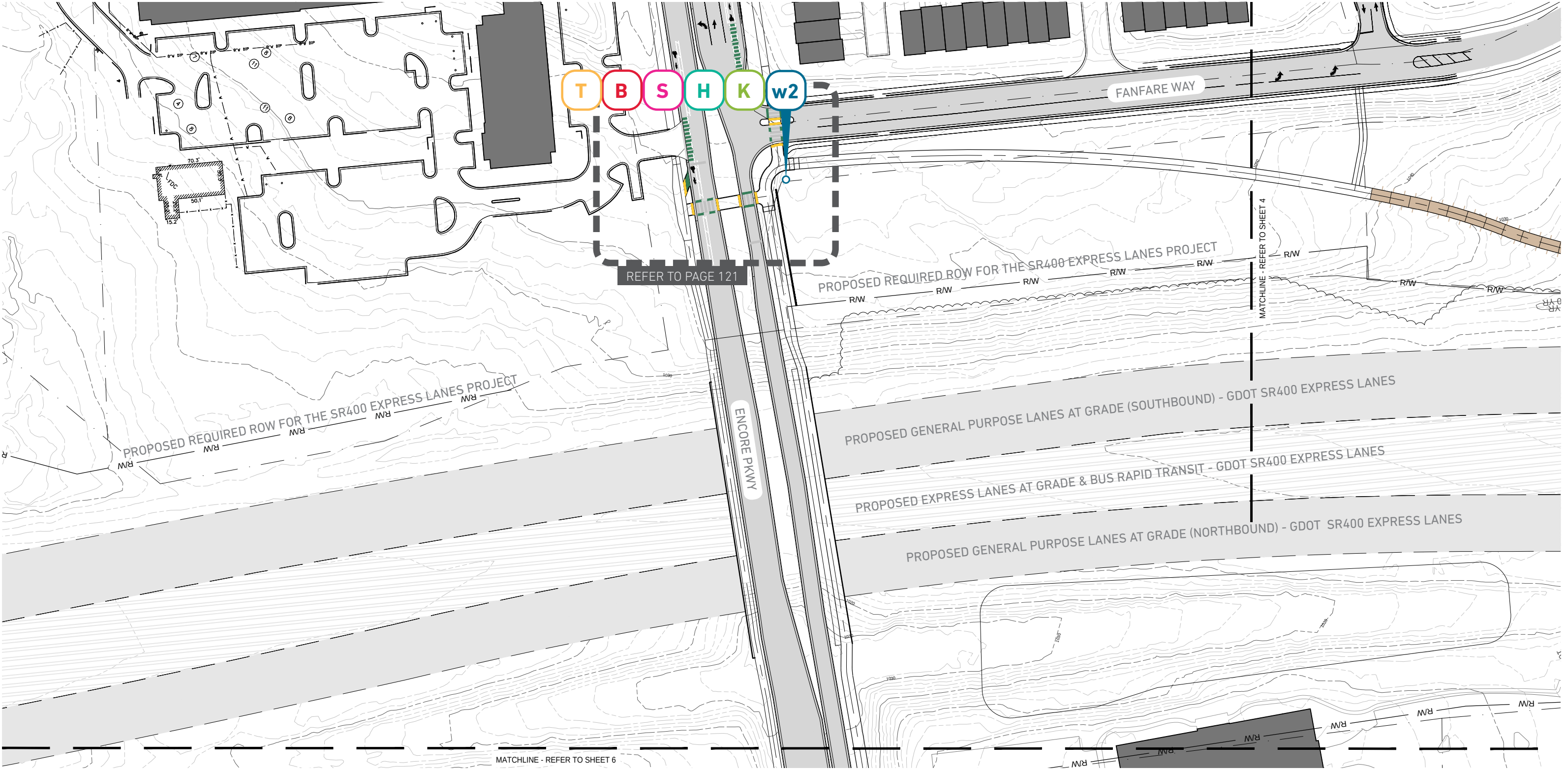
Water Refill
- K

Bike Racks
- A

"Alpha" Sculpture
- R

Retaining Wall
- E

Elevated Trail

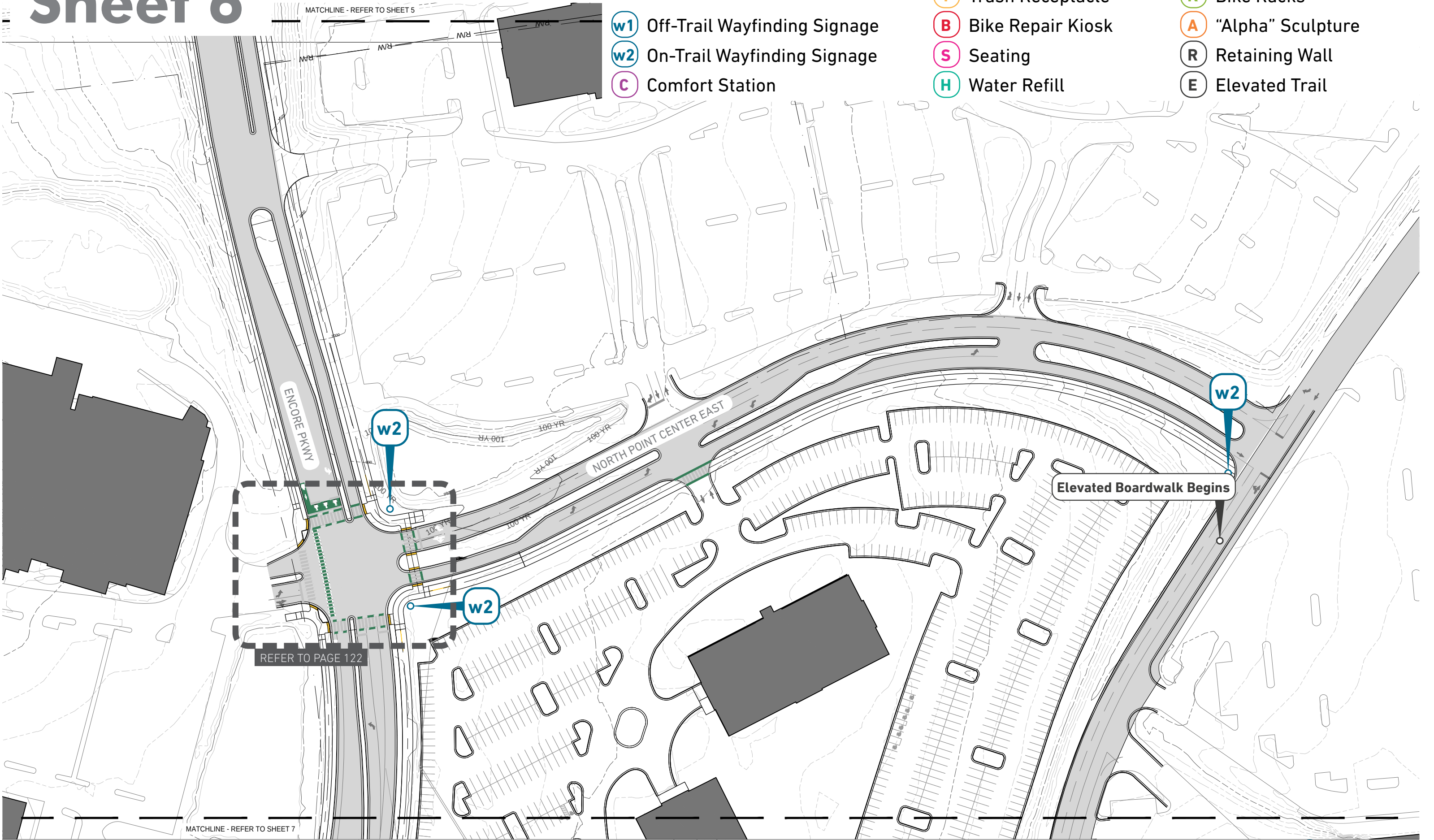


Trailside Amenities Legend

- w1 Off-Trail Wayfinding Signage
- w2 On-Trail Wayfinding Signage
- C Comfort Station

- T Trash Receptacle
- B Bike Repair Kiosk
- S Seating
- H Water Refill

- K Bike Racks
- A "Alpha" Sculpture
- R Retaining Wall
- E Elevated Trail



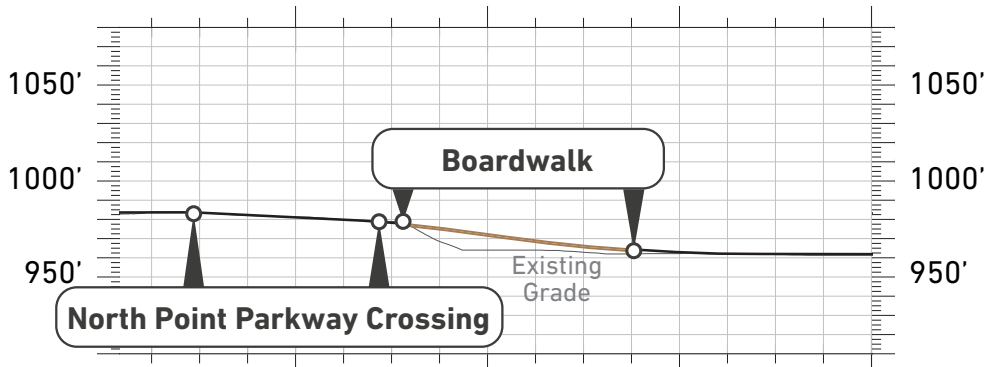
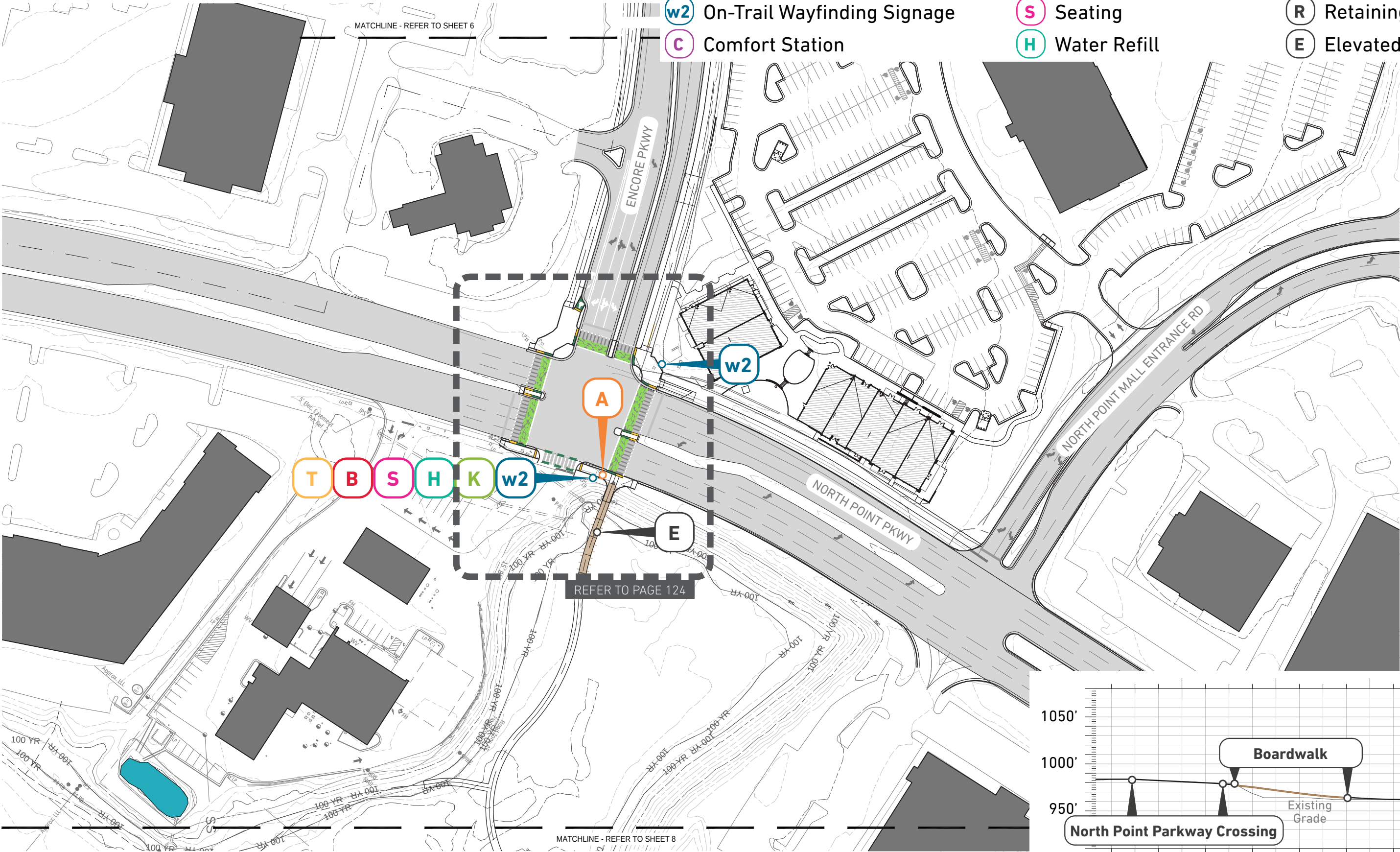
Sheet 7

Trailside Amenities Legend

- w1 Off-Trail Wayfinding Signage
- w2 On-Trail Wayfinding Signage
- C Comfort Station

- T Trash Receptacle
- B Bike Repair Kiosk
- S Seating
- H Water Refill

- K Bike Racks
- A "Alpha" Sculpture
- R Retaining Wall
- E Elevated Trail



Sheet 8

Trailside Amenities Legend

- w1

Off-Trail Wayfinding Signage
- w2

On-Trail Wayfinding Signage
- c

Comfort Station
- T

Trash Receptacle
- B

Bike Repair Kiosk
- S

Seating
- H

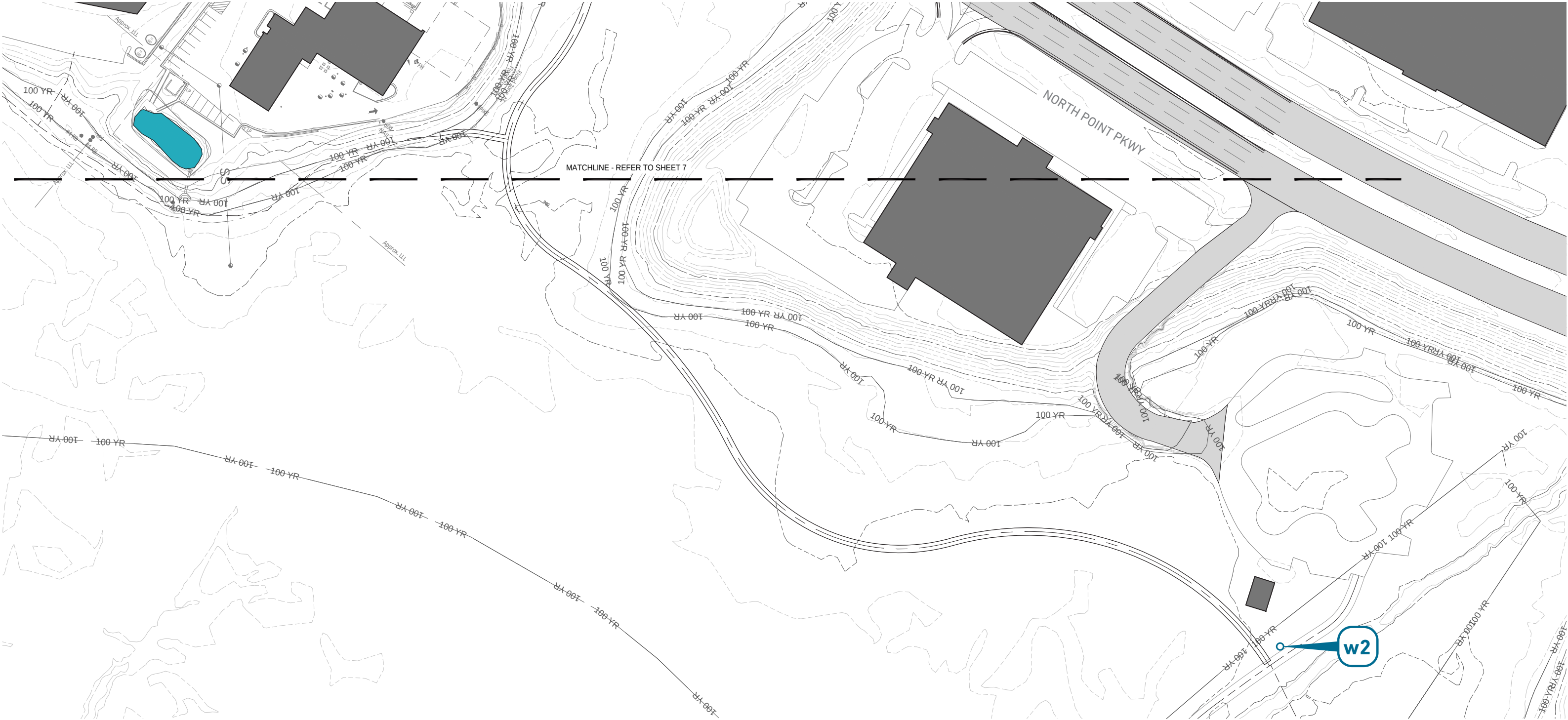
Water Refill
- K

Bike Racks
- A

"Alpha" Sculpture
- R

Retaining Wall
- E

Elevated Trail



Cost Estimate

Executive Summary

Base Bid By The Numbers...

Streets

- 2,804 LF of Streetscape Improvements
- 4 Intersections improved

Trails

- 11,365 LF of Accessible Paths including:
- 9,563 LF of At-Grade Trail
- 1,028 LF of Elevated Trail

Amenities

- 2 Gateway Sculptures
- 16 Bike Racks
- 8 Benches
- 3 Bike Repair Kiosks
- 4 Water Refill Stations
- 7 Trash Receptacles



Haynes Bridge Rd. Crossing

Haynes Bridge Rd. to Fanfare Way

Encore Parkway

North Point Center East

N. Point Pkwy. to Big Creek Greenway

Cost Estimate

Area Summary

¹Alternate 1 estimate, if accepted, is intended to be an addition to Haynes Bridge Road intersection improvements.
²Alternate 2 estimate, if accepted, is intended to fully replace all other costs associated with improvements to Encore Parkway.
³Alternate 3 estimate, if accepted, is intended to fully replace all other costs associated with improvements to North Point Center E.
⁴All costs are inclusive of a 30% estimating contingency.

Haynes Bridge Rd. Intersection	\$1.57M
Demolition & Site Preparation	(\$92K)
Roadway & Sidewalk Improvements	(\$127K)
Trail Construction	(\$967K)
Lighting, Amenities, Signage, & Plantings	(\$387K)
Alternate 1 - Tunnel Crossing¹	\$7.15M
Includes an additional trail connection under Haynes Bridge Road and stairway connecting to the existing intersection.	

Haynes Bridge Rd. to Fanfare Way	\$6.56M
Demolition & Site Preparation	(\$904K)
Trail Construction	(\$4.39M)
BRT Station Transition	(\$287K)
Lighting, Amenities, Signage, & Plantings	(\$963K)

North Point Pkwy to Big Creek Greenway	\$1.45M
Encore & North Point Pkwy Intersection	\$746K
Demolition & Site Preparation	(\$110K)
Roadway & Sidewalk Improvements	(\$231K)
Lighting, Amenities, Signage, & Plantings	(\$405K)
Greenway Connection	\$707K
Demolition & Site Preparation	(\$65K)
Trail Construction	(\$512K)
Lighting, Signage, & Plantings	(\$130K)

Encore Pkwy (Fanfare Way to North Point Pkwy)	\$3.43M
Encore & Fanfare Intersection	\$825K
Demolition & Site Preparation	(\$140K)
Roadway & Sidewalk Improvements	(\$255K)
Lighting, Amenities, Signage, & Plantings	(\$431K)
Encore & North Point Center East Intersection	\$649K
Demolition & Site Preparation	(\$155K)
Roadway & Sidewalk Improvements	(\$318K)
Lighting, Amenities, Signage, & Plantings	(\$176K)
Encore Parkway Streetscape (excluding intersections)	\$1.96M
Demolition & Site Preparation	(\$304K)
Roadway & Sidewalk Improvements	(\$1.25M)
Lighting, Amenities, Signage, & Plantings	(\$409K)
Alternate 2 - Buffer Bike Lanes Only²	\$202K
Replaces a full street reconstruction with tactical modifications to the existing infrastructure.	

North Point Center East	\$556K
North Point Center East Trail	\$556K
Demolition & Site Preparation	(\$90K)
Roadway & Sidewalk Improvements	(\$321K)
Lighting, Amenities, Signage, & Plantings	(\$146K)
Alternate 3 - Buffer Bike Lanes Only³	\$199K
Replaces a full street reconstruction with tactical modifications to the existing infrastructure.	



Appendix

Section 05



Table of Contents

Appendix

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pg108-122	Public Meeting #2 Engagement Summary
pg 119-124	Preliminary Engineering Intersection Concepts
pg 127-134	Level of Traffic Stress Analysis

NORTH POINT AREA & ALPHA LOOP TRAIL CONNECTIVITY FEASIBILITY STUDY

VIRTUAL PUBLIC MEETING #1 ENGAGEMENT SUMMARY



photo: alpharetta.ga.us



MKSK **TOOLE**
DESIGN

ARC
ATLANTA REGIONAL COMMISSION

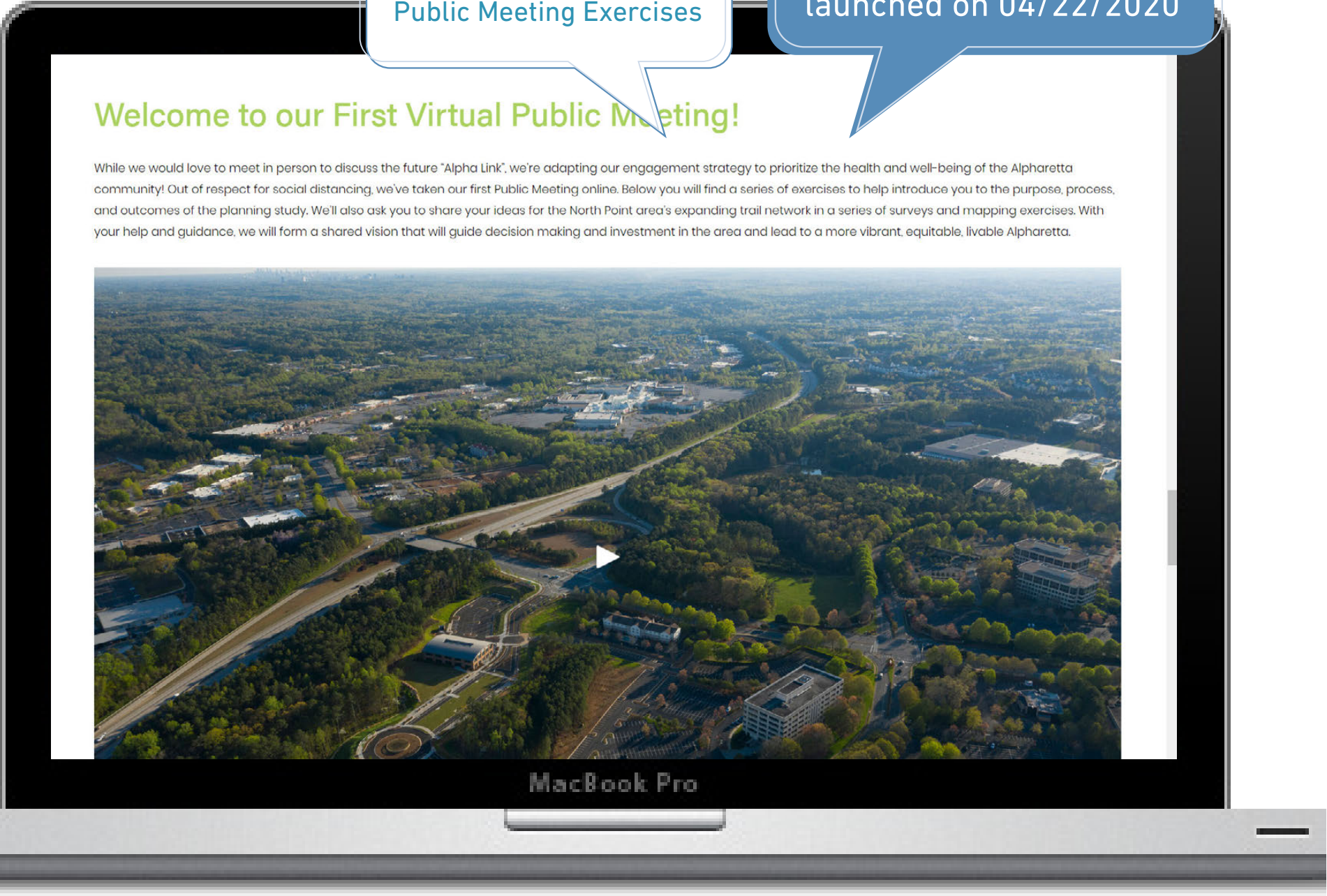
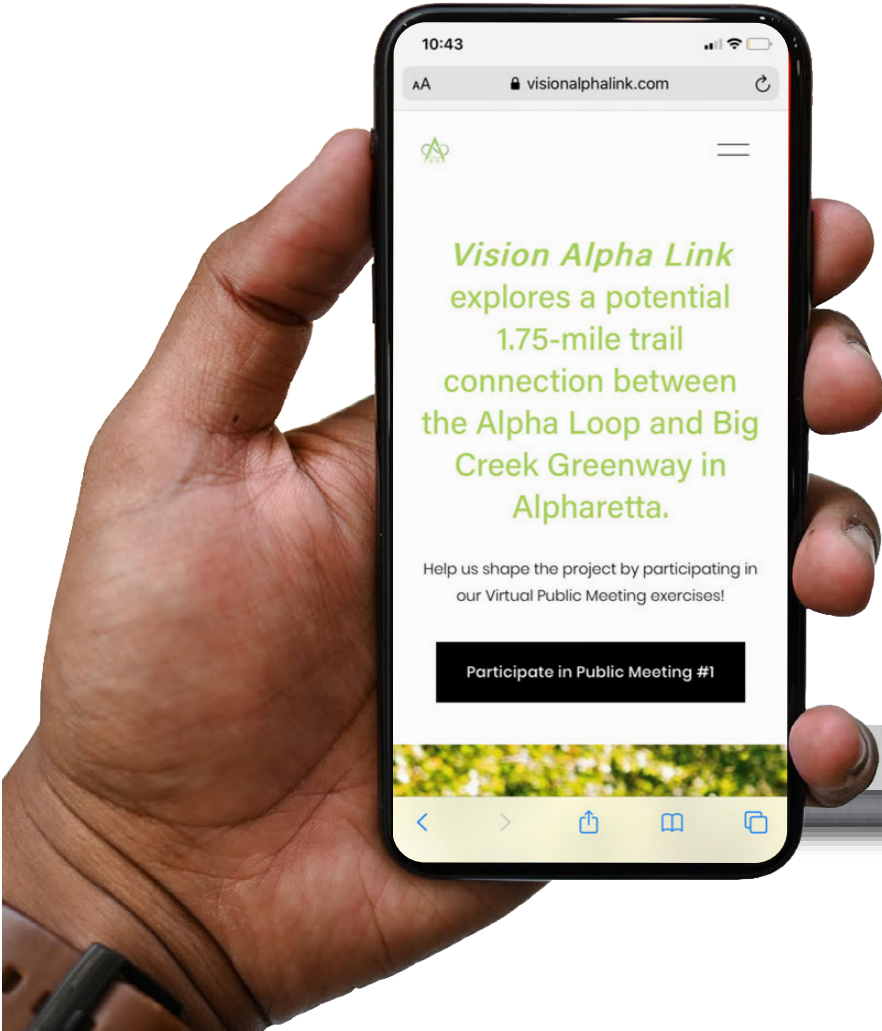
Virtual Public Meeting: Overview

In the wake of the COVID-19 outbreak, the planning team adapted it's engagement strategy to prioritize the health and well-being of the Alpharetta community.

Out of respect for social distancing, Public Meeting #1 transitioned to a webpage designed to introduce participants to the planning study and provide a space to share ideas for the North Point area's expanding trail network through a series of surveys and mapping exercises.

We've received **316 responses*** to the Virtual Public Meeting Exercises

The Virtual Public Meeting page has been **viewed 1,848 times*** since it launched on 04/22/2020



* Statistics reflect the period between 04/22/2020 & 05/25/2020 at 11:59pm

Virtual Public Meeting: Outreach

In the wake of the COVID-19 outbreak, the planning team adapted it's engagement strategy to prioritize the health and well-being of the Alpharetta community.

Out of respect for social distancing, Public Meeting #1 transitioned to a webpage designed to introduce participants to the planning study and provide a space to share ideas for the North Point area's expanding trail network through a series of surveys and mapping exercises.

105 stakeholders received emails promoting the Virtual Public Meeting

1,450 postcards were sent to area residents to promote the Virtual Public Meeting

Posts to the City's **Social Media Platforms** broadened the Virtual Public Meetings exposure

I love the Alpha Loop & Big Creek Greenway because...

To share your answer head to www.menti.com & use the code **32 96 08** or scan the QR Code 

Visit www.VisionAlphaLink.com to learn more & participate in our Virtual Public Meeting exercises!





Vision Alpha Link

North Point Area & Alpha Loop Trail Connectivity Feasibility Study

The City of Alpharetta is exploring a bicycle and pedestrian connection between the Alpha Loop, North Point Area, & Big Creek Greenway.

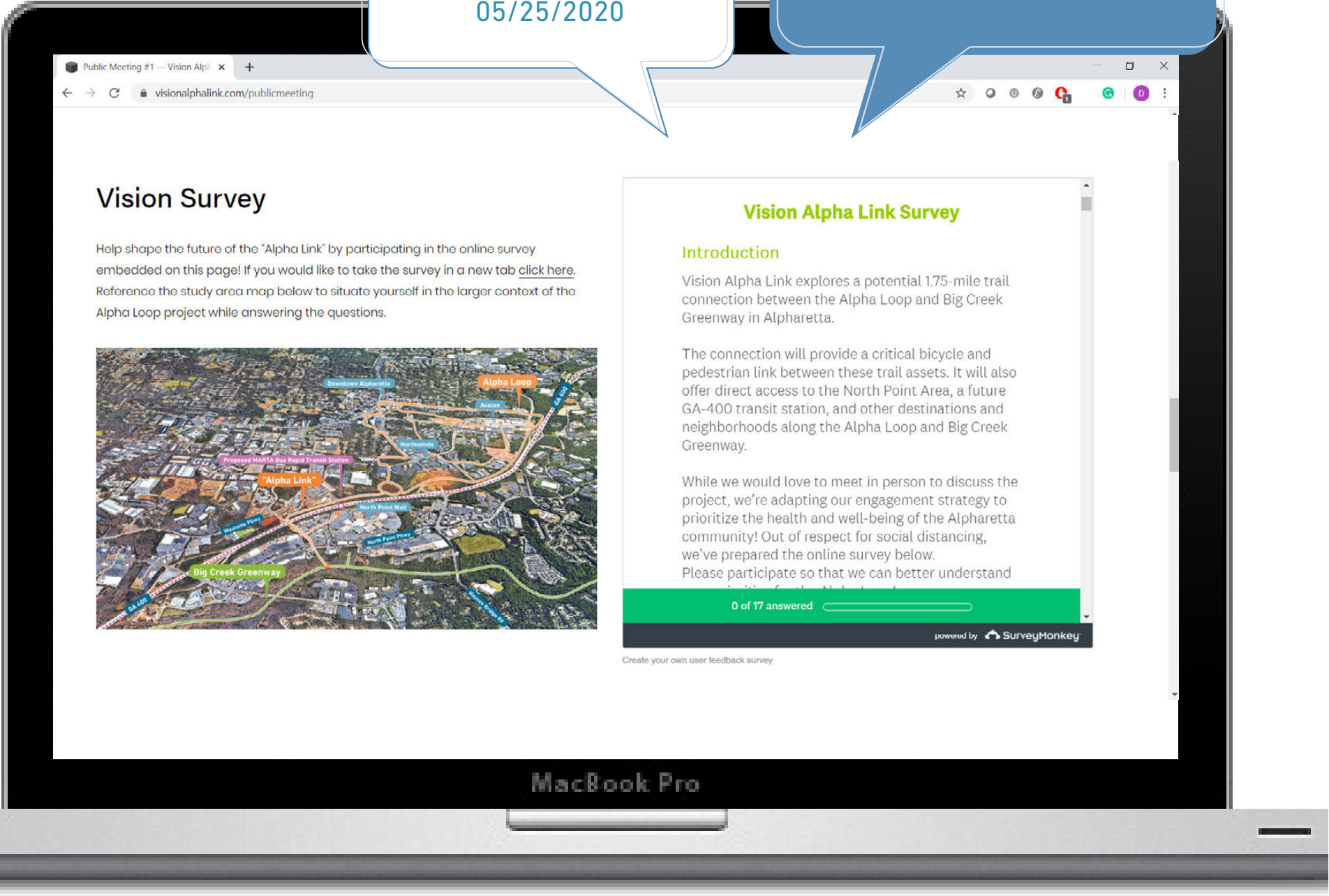
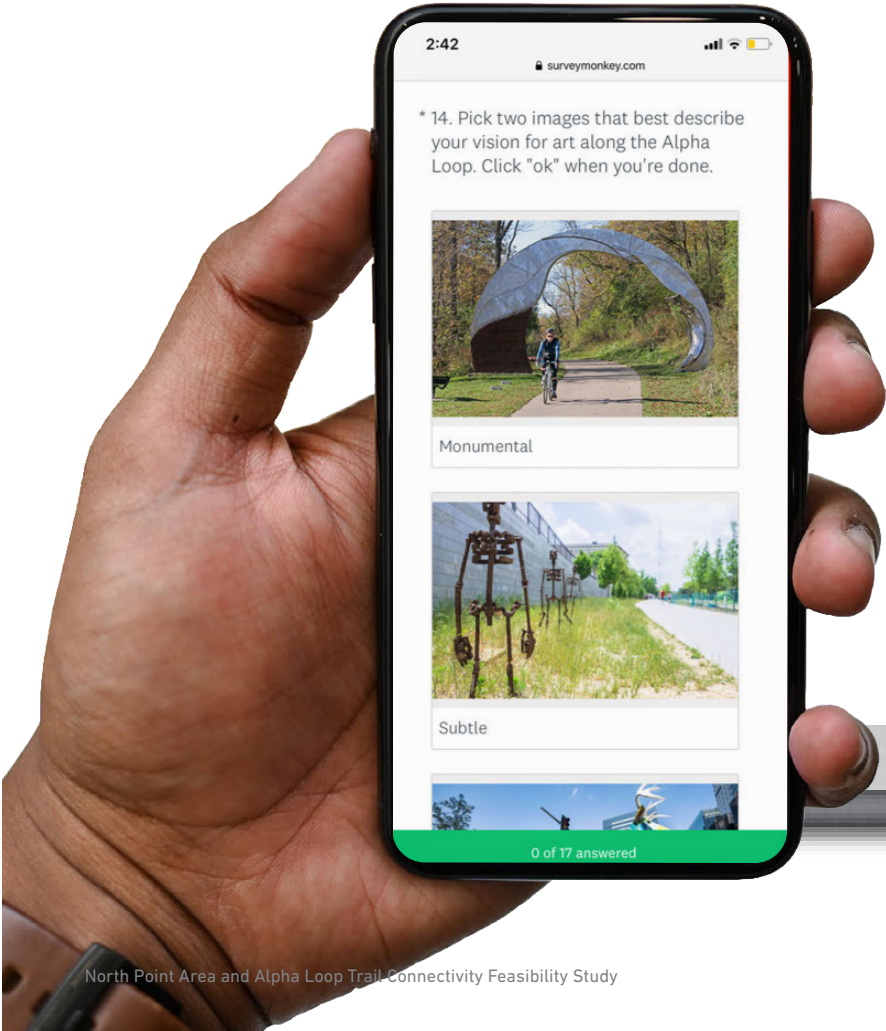
Visit www.VisionAlphaLink.com to learn more and participate in our Virtual Public Meeting exercises!

Vision Survey

The Vision Survey was open between 04/22/2020 & 05/25/2020. During that period it received **180 responses**.

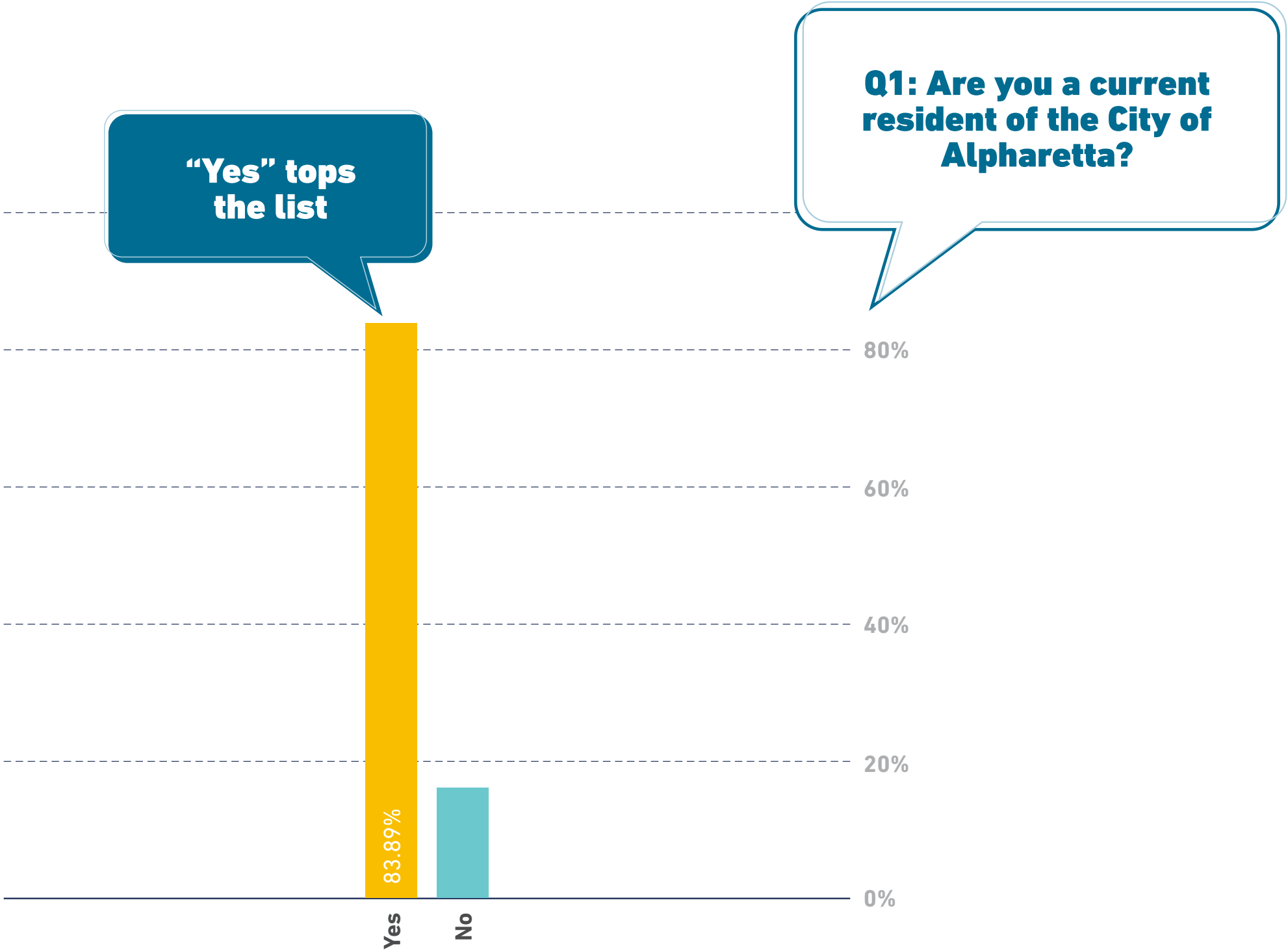
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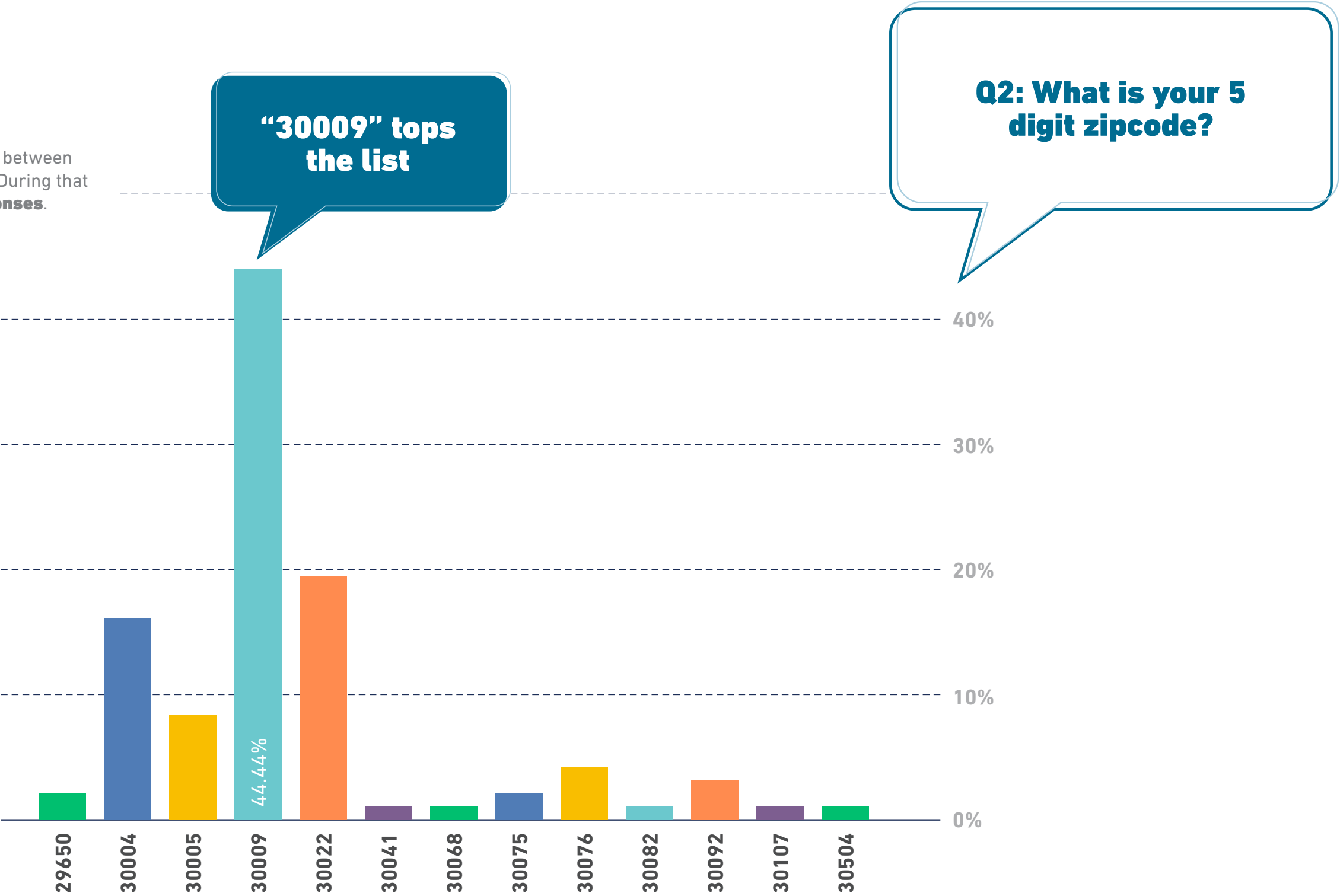
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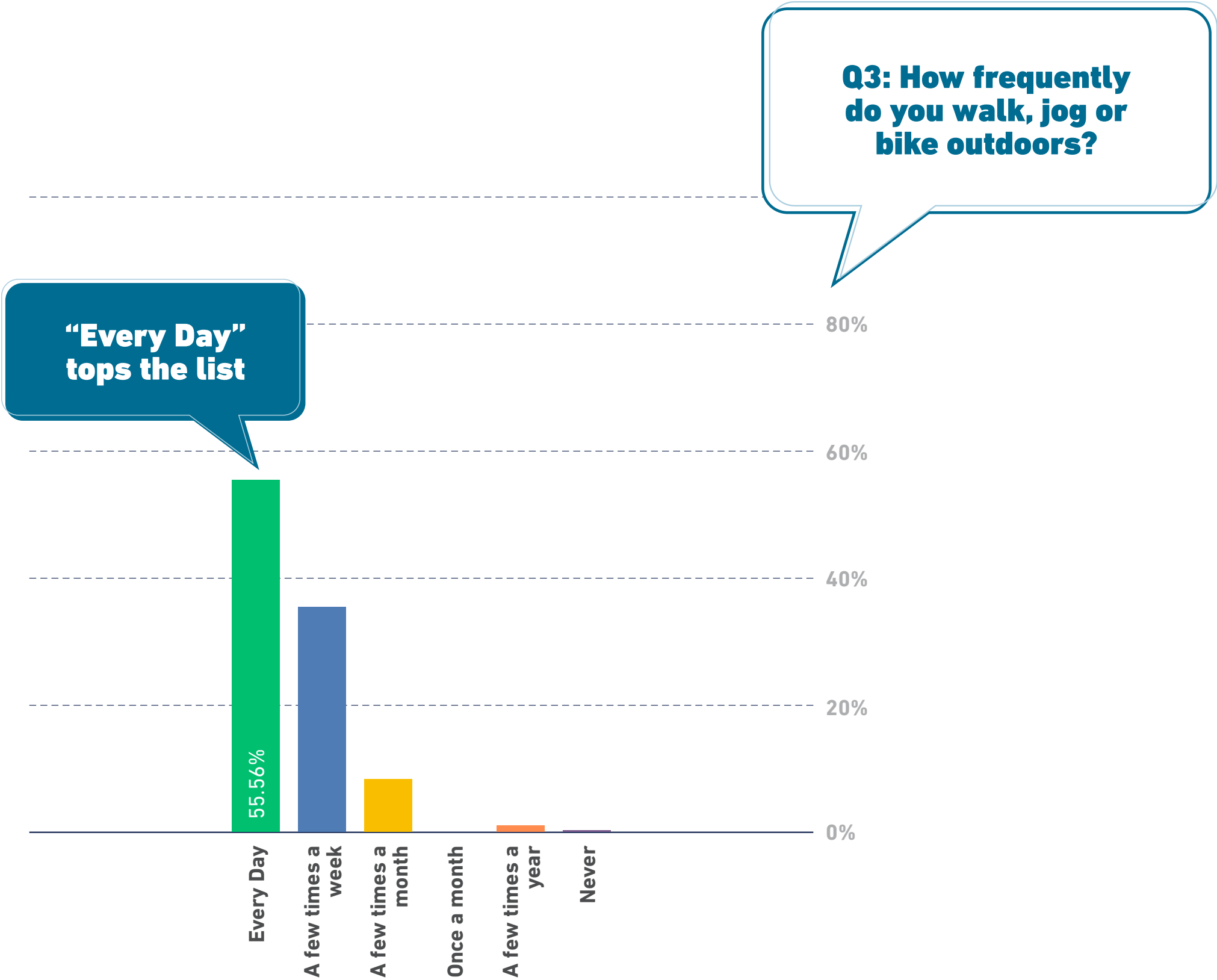
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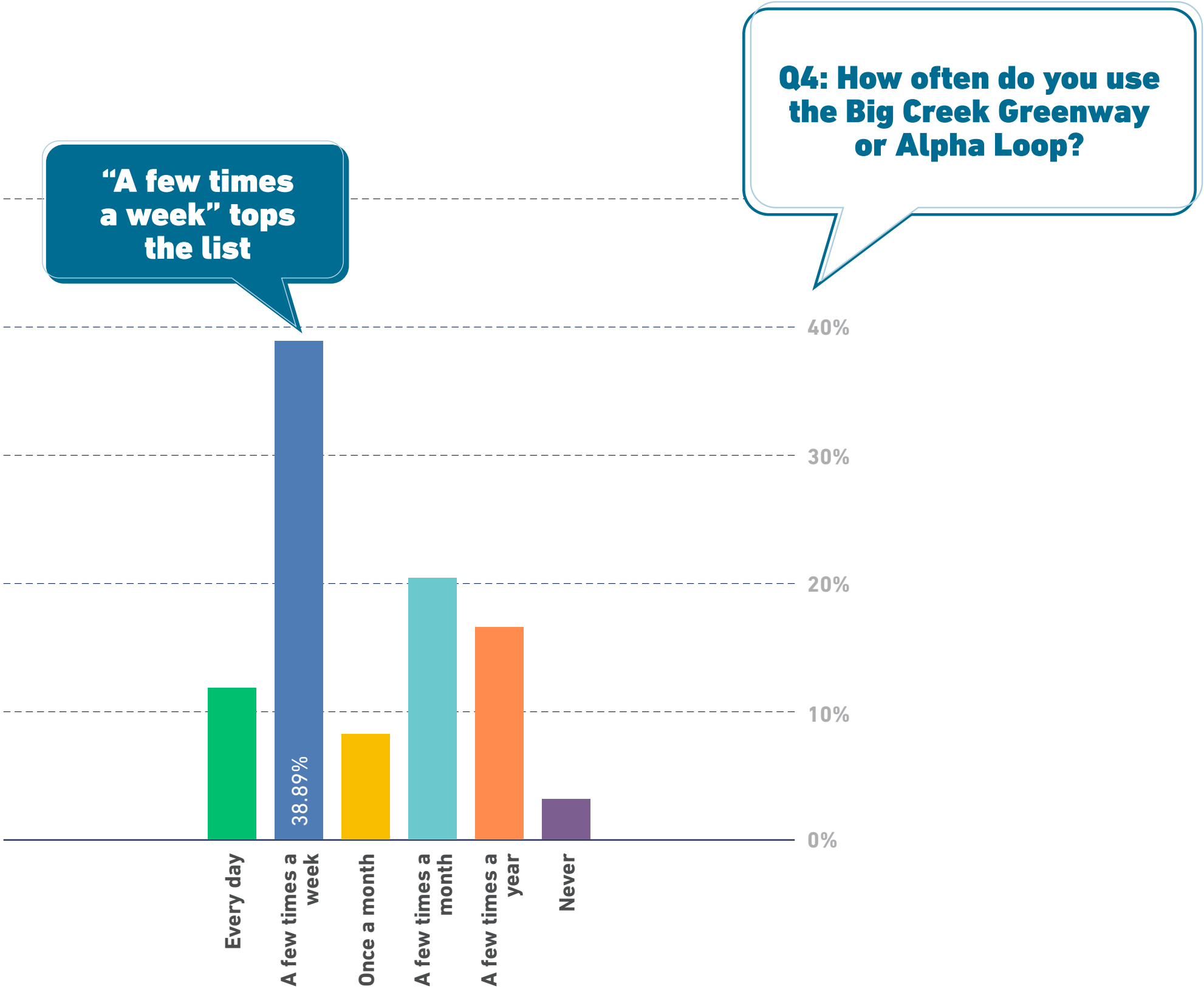
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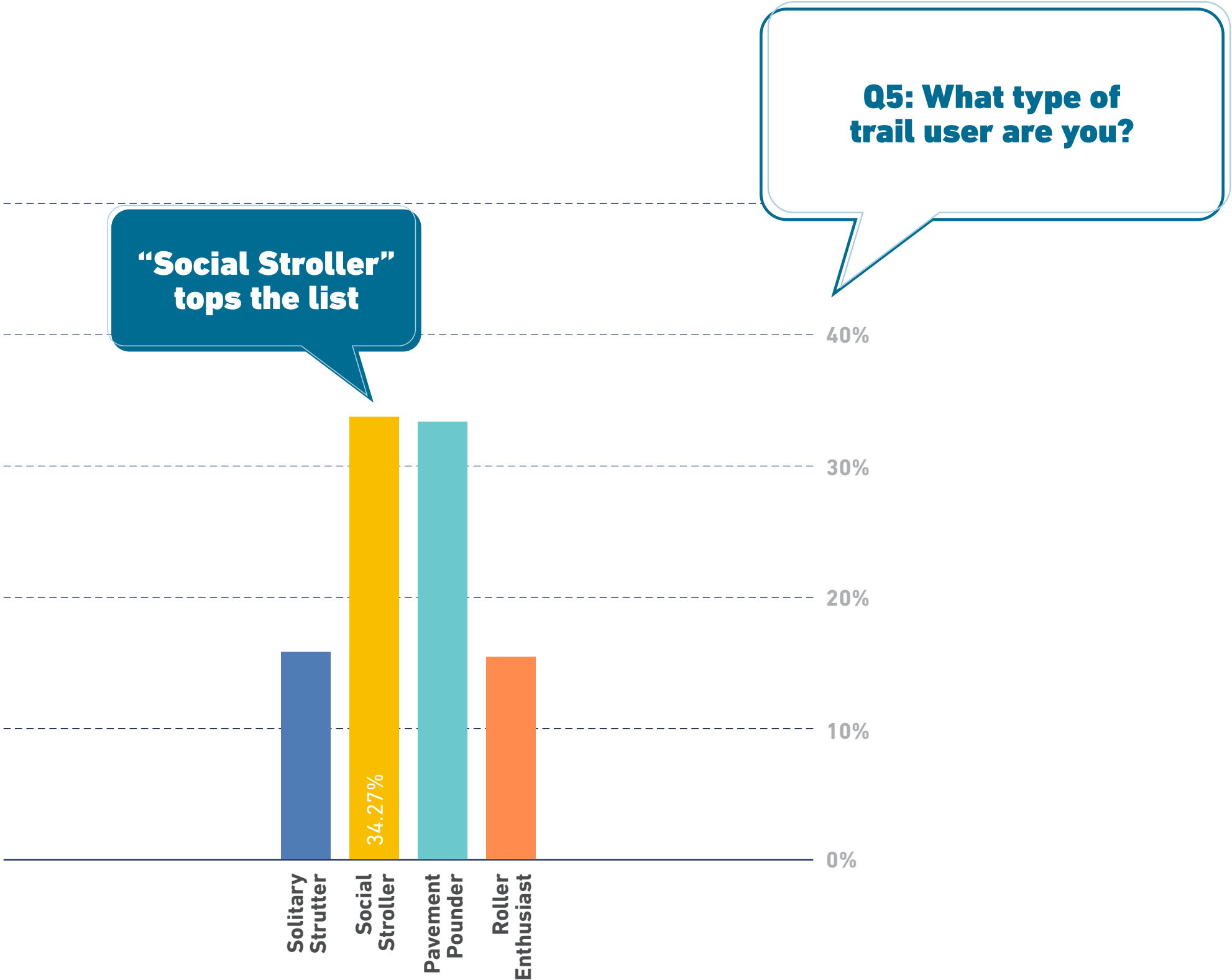
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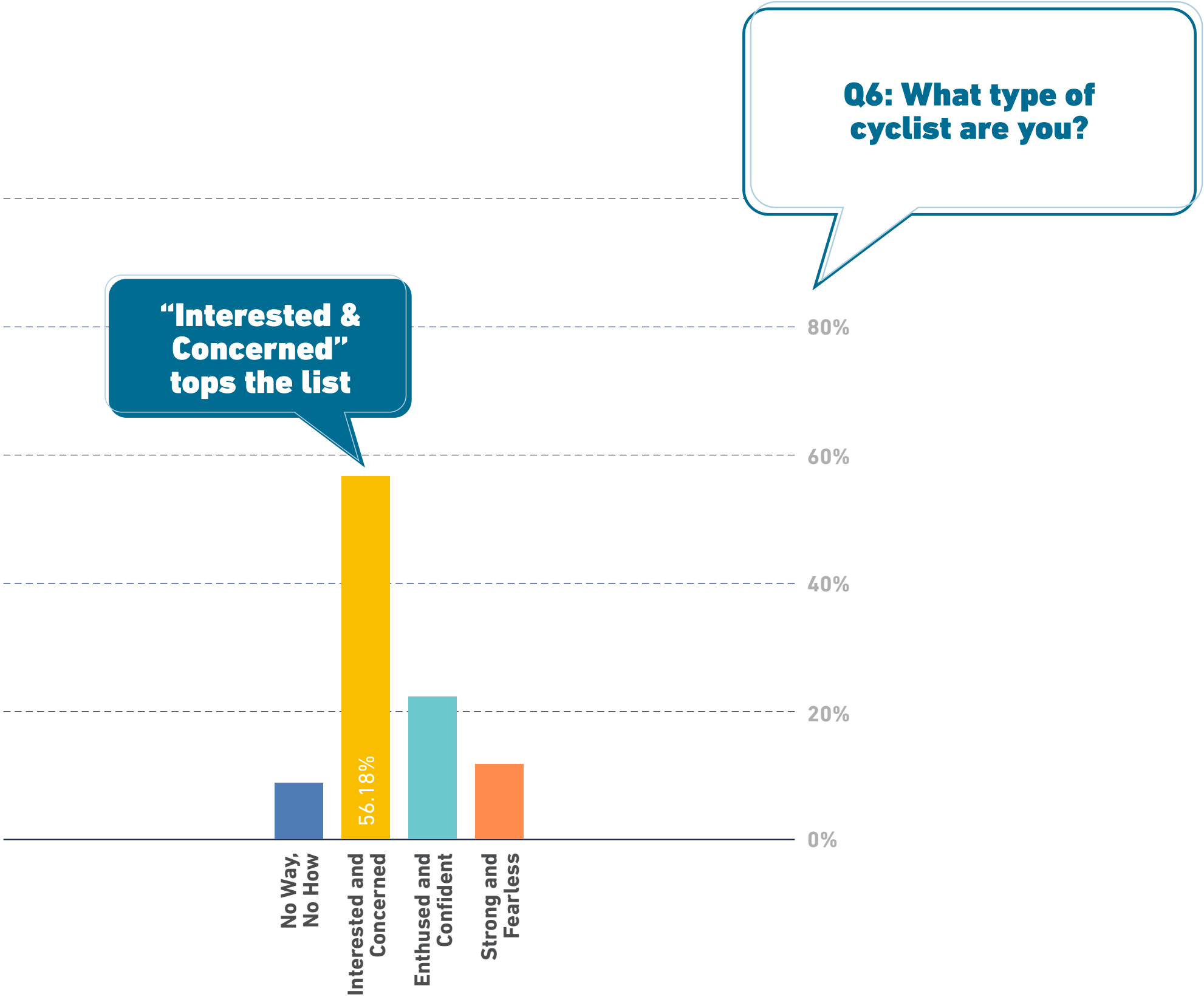
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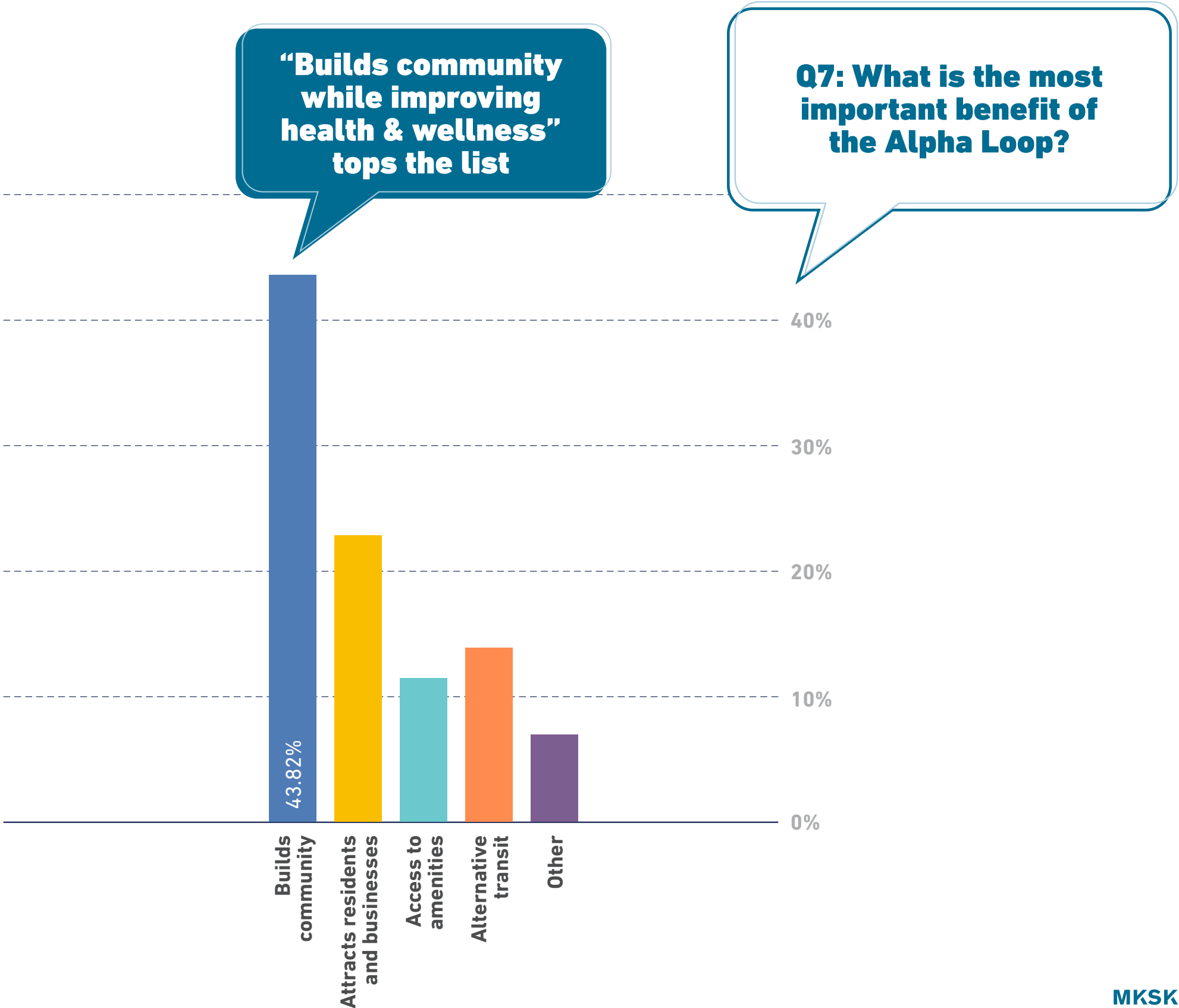
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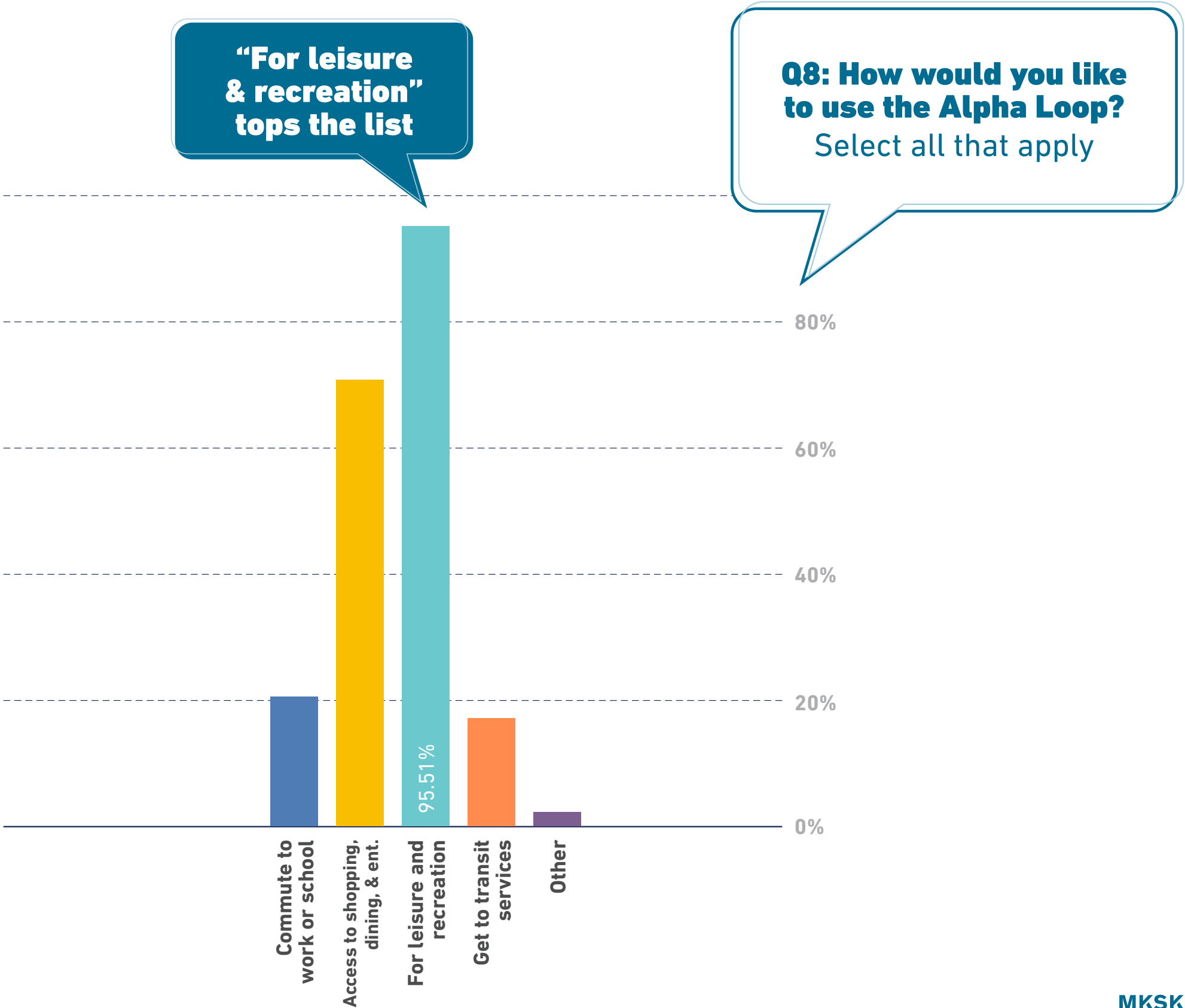
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Vision Survey

The Vision Survey was open between 04/22/2020 & 05/25/2020. During that period it received **180 responses**.

Separated Use Trail (Coupled)
86%



Separated Use Trail (Uncoupled)
86%



Shared Use Trail
83%



Q9: Pick the facility types below you are comfortable walking/biking on.
Select all that apply

Side Path
74%



Buffered Bike Lanes
63%



Separated Bikeway
60%



Enhanced Sharrow
22%



Conventional Bike Lanes
22%

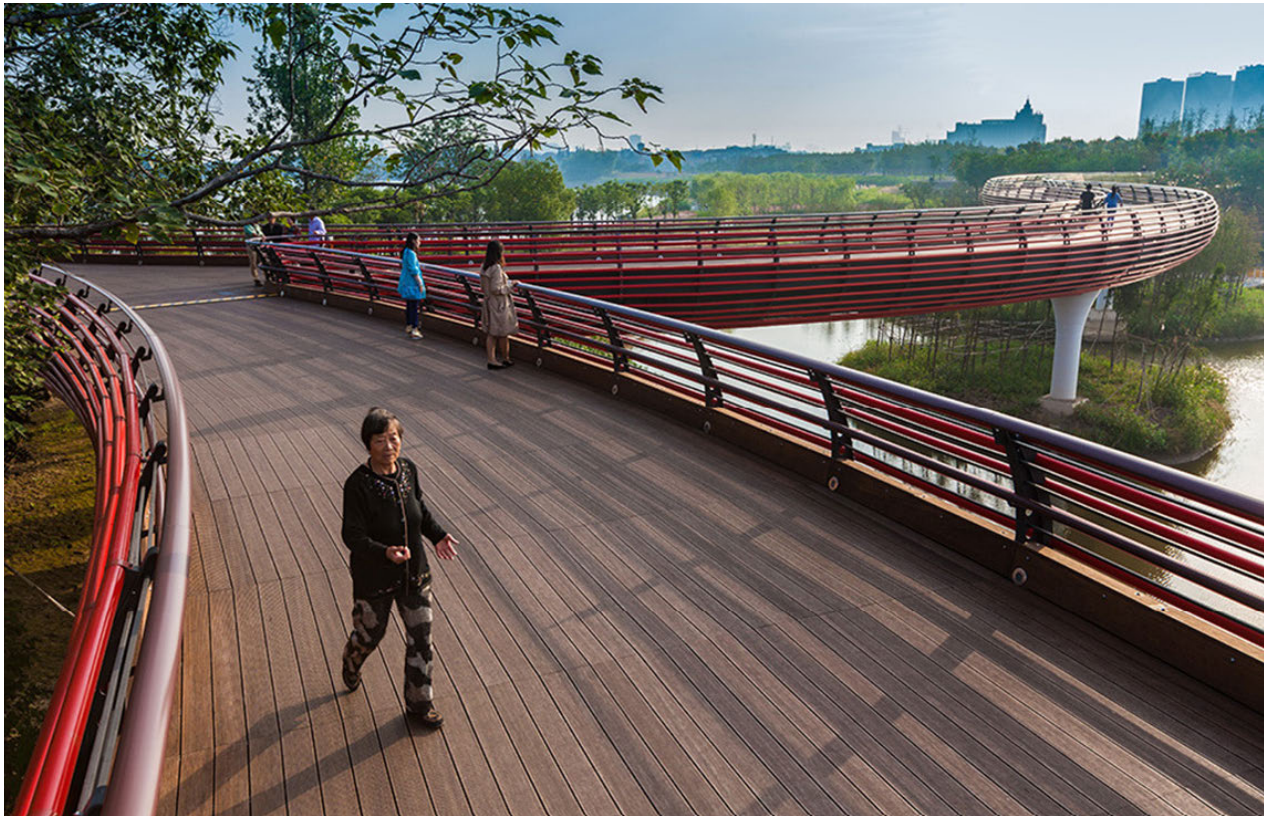


Advisory Bike Lanes
22%

Vision Survey

The Vision Survey was open between 04/22/2020 & 05/25/2020. During that period it received **180 responses**.

Above-Grade Crossing
85%



Below-Grade Crossing
79%



Q10: Pick two images that best describe your vision for major roadway crossings along the Alpha Loop.



At-Grade Crossing
35%

Vision Survey

The Vision Survey was open between 04/22/2020 & 05/25/2020. During that period it received **180 responses**.

Green
79%



Textured
44%



Q11: Pick two images that best represent your vision for the GA 400 buffer along the Alpha Loop where a landscape separation is not available



Open
33%



Colorful
23%



Sculptural
13%

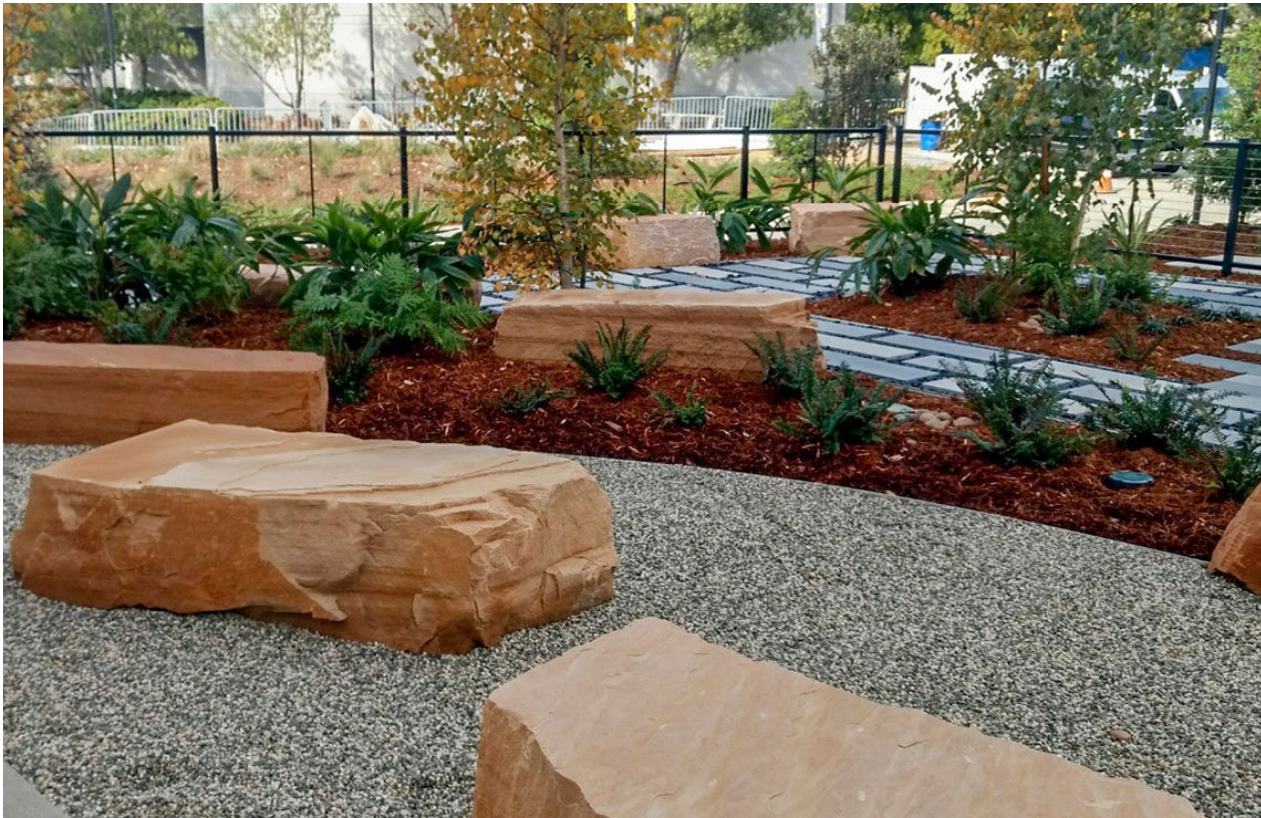


Transparent
7%

Vision Survey

The Vision Survey was open between 04/22/2020 & 05/25/2020. During that period it received **180 responses**.

Naturalistic
58%



Subtle
56%



Q12: Pick two images that best describe your vision for the furnishings along the Alpha Loop.



Playful
31%



Industrial
22%



Refined
18%



Traditional
15%

Vision Survey

The Vision Survey was open between 04/22/2020 & 05/25/2020. During that period it received **180 responses**.

Shady
84%



Minimalistic
34%



Q13: Pick two images that best describe your vision for planting along the Alpha Loop.



Naturalistic
32%



Ornamental
29%



Bold
15%



Formal
3%

Vision Survey

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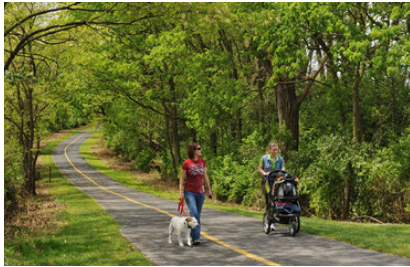
Monumental
46%



Naturalistic
39%



Q14: Pick two images that best describe your vision for art along the Alpha Loop.



None
28%



Interactive
27%



Playful
21%



Ephemeral
13%

Vision Survey

The Vision Survey was open between 04/22/2020 & 05/25/2020. During that period it received **180 responses**.

Safe green space for riding, running, walking. I enjoy being able to **observe nature up close** and like how wide the trail is to allow for many types of pedestrians.



I am so excited about the walk ability factor. **It is why we moved here.** I currently love downtown but would love to bike the Greenway. Can't wait.



The **scenery is beautiful and peaceful**, the sidewalks are smooth enough to skate on (I've been learning to Rollerblade since nothing else is open), and it's long enough to go for a long walk/ride without having to loop multiple times.



I am able to **get away from the excitement of downtown Alpharetta for a nice walk** before going back to enjoy the city atmosphere.



Q15: I love the Alpha Loop & Big Creek Greenway because...

It's convenient, **encourages healthy activity and community** and it's beautiful.

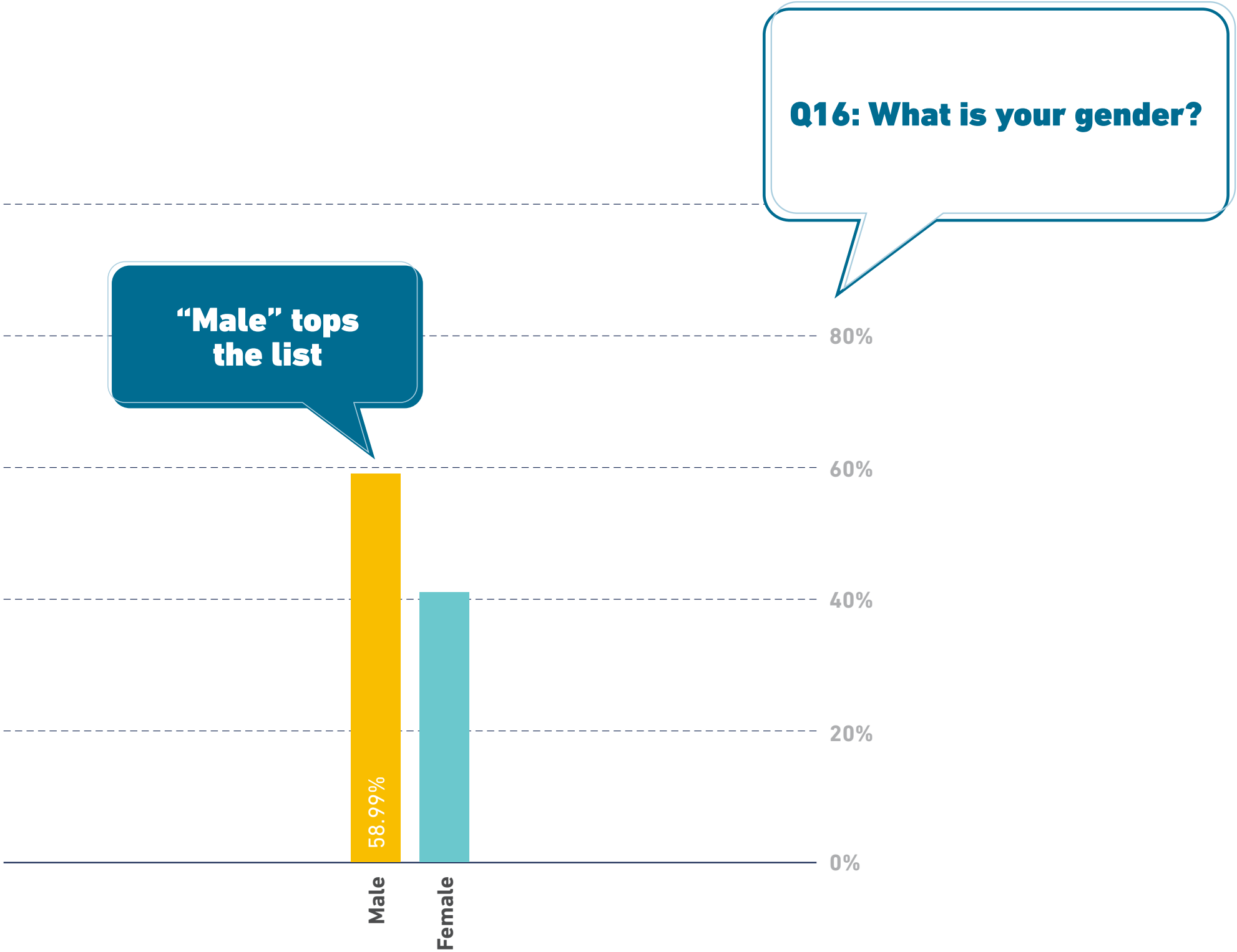


It is one of the **most beautiful and serene places** for me in Georgia. It allows me to reset and be at peace from my hectic life.



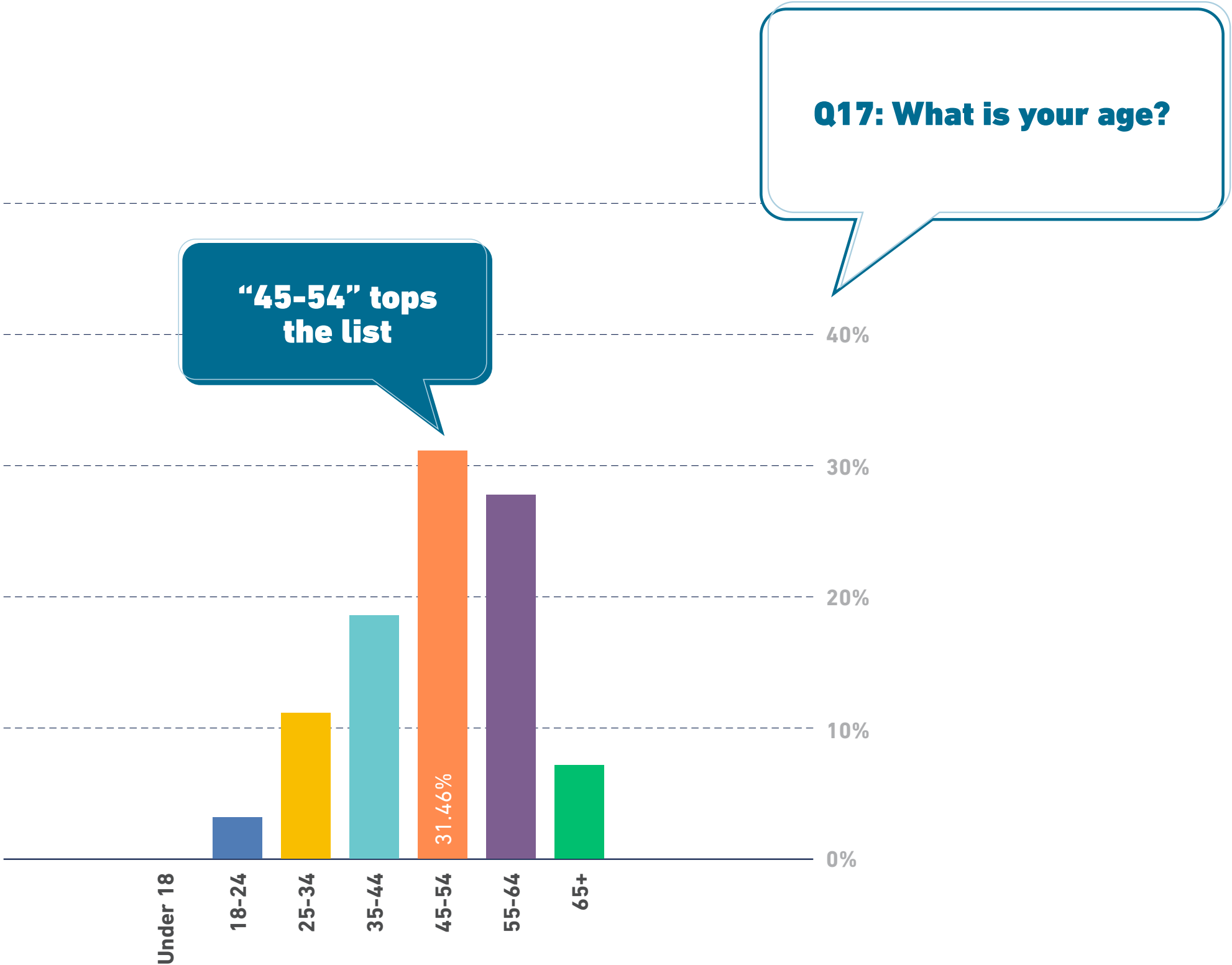
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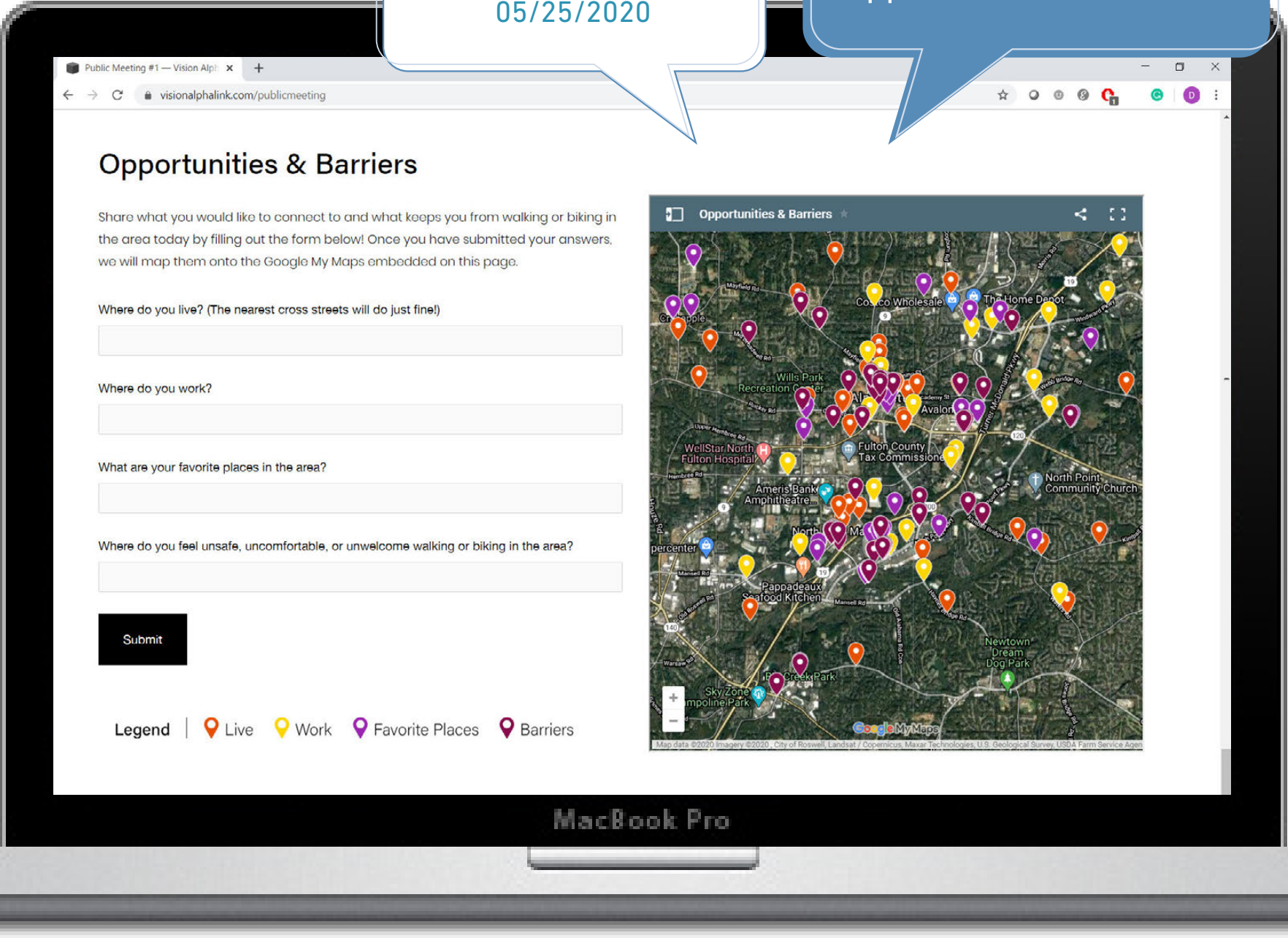
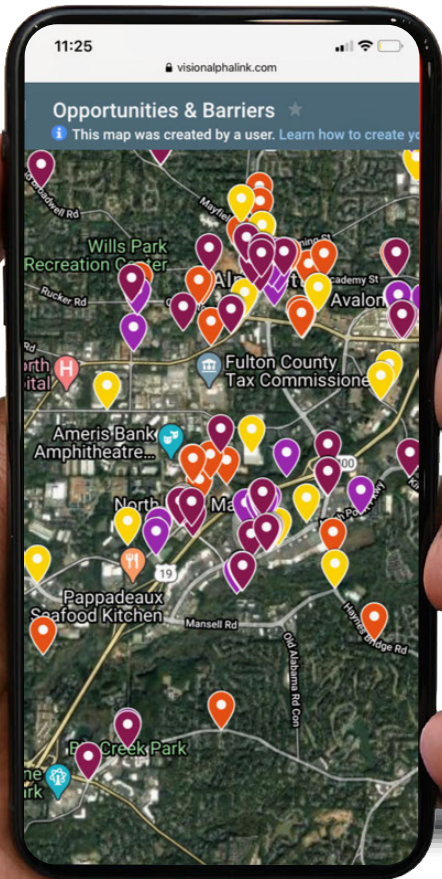


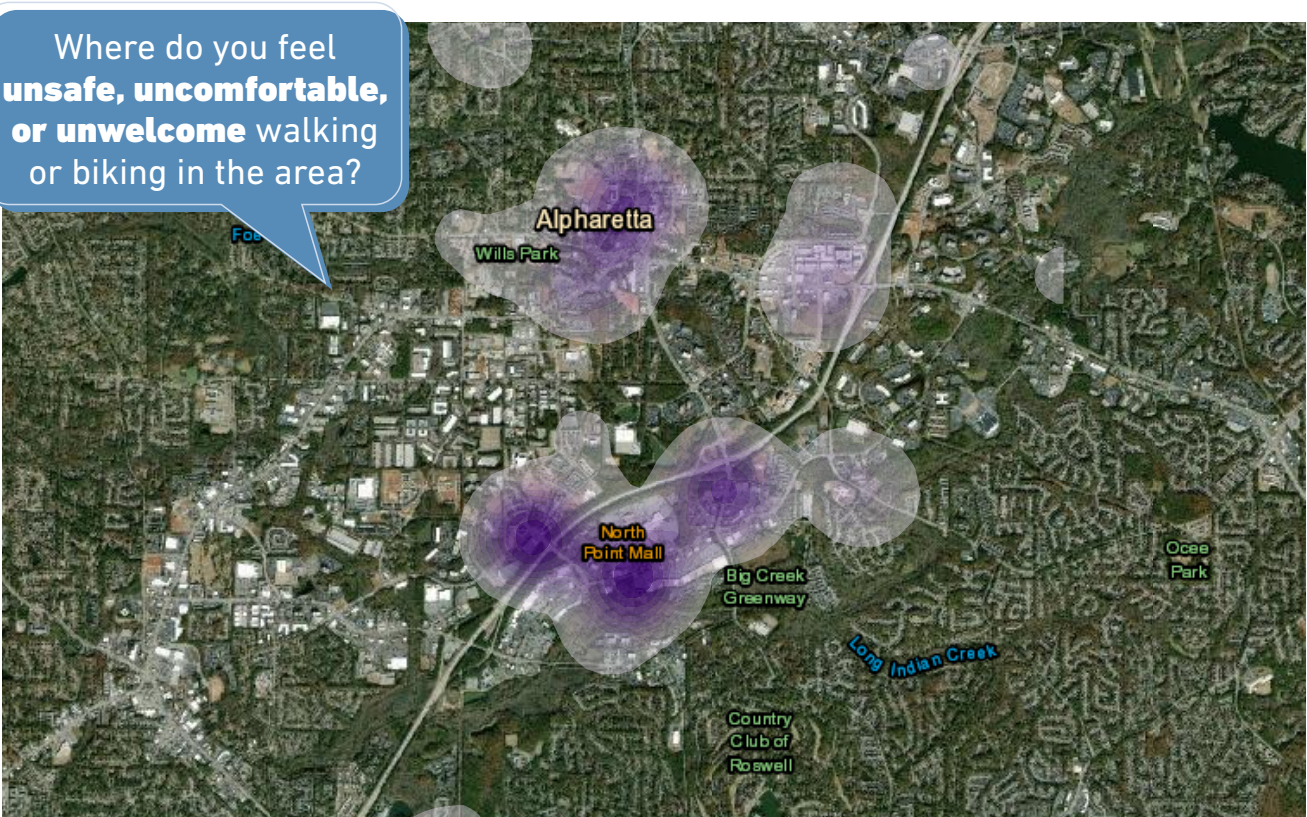
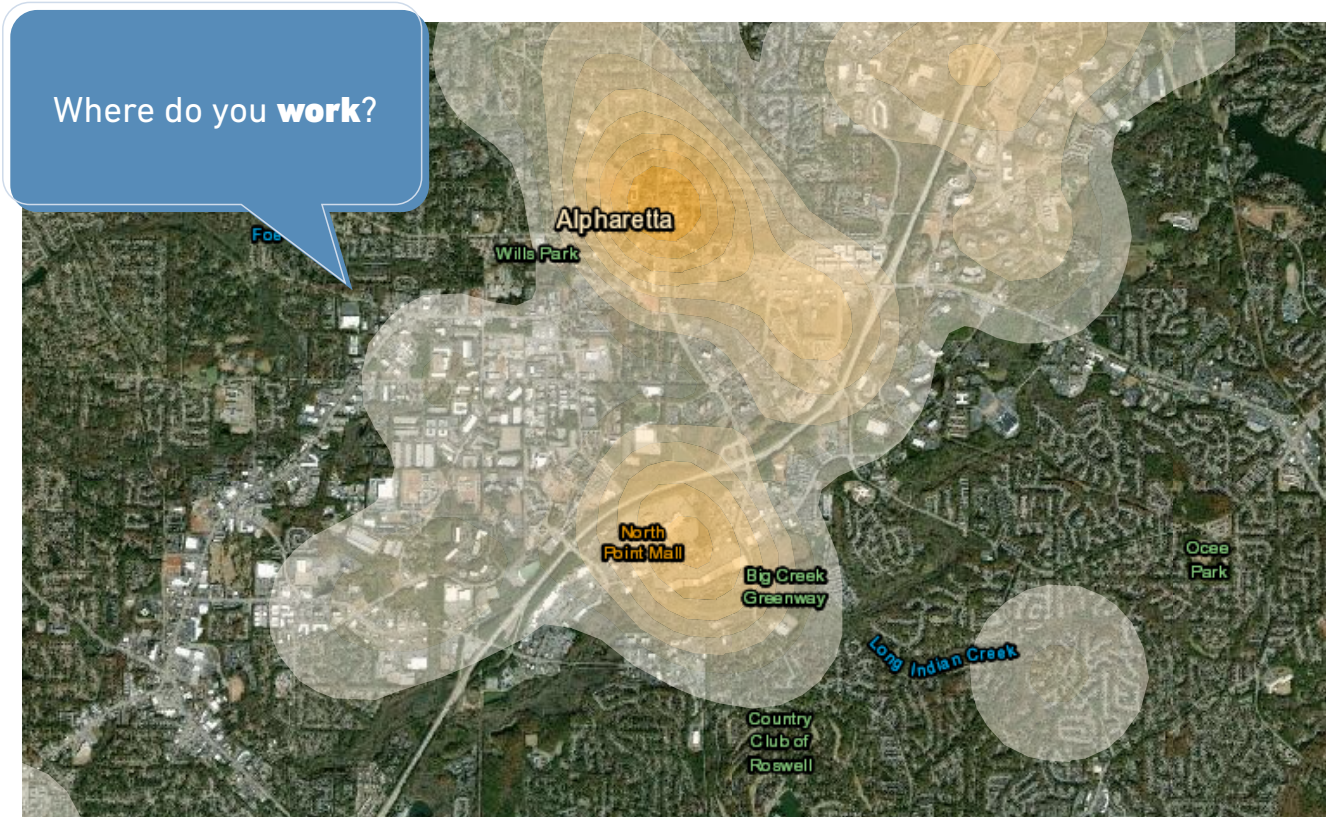
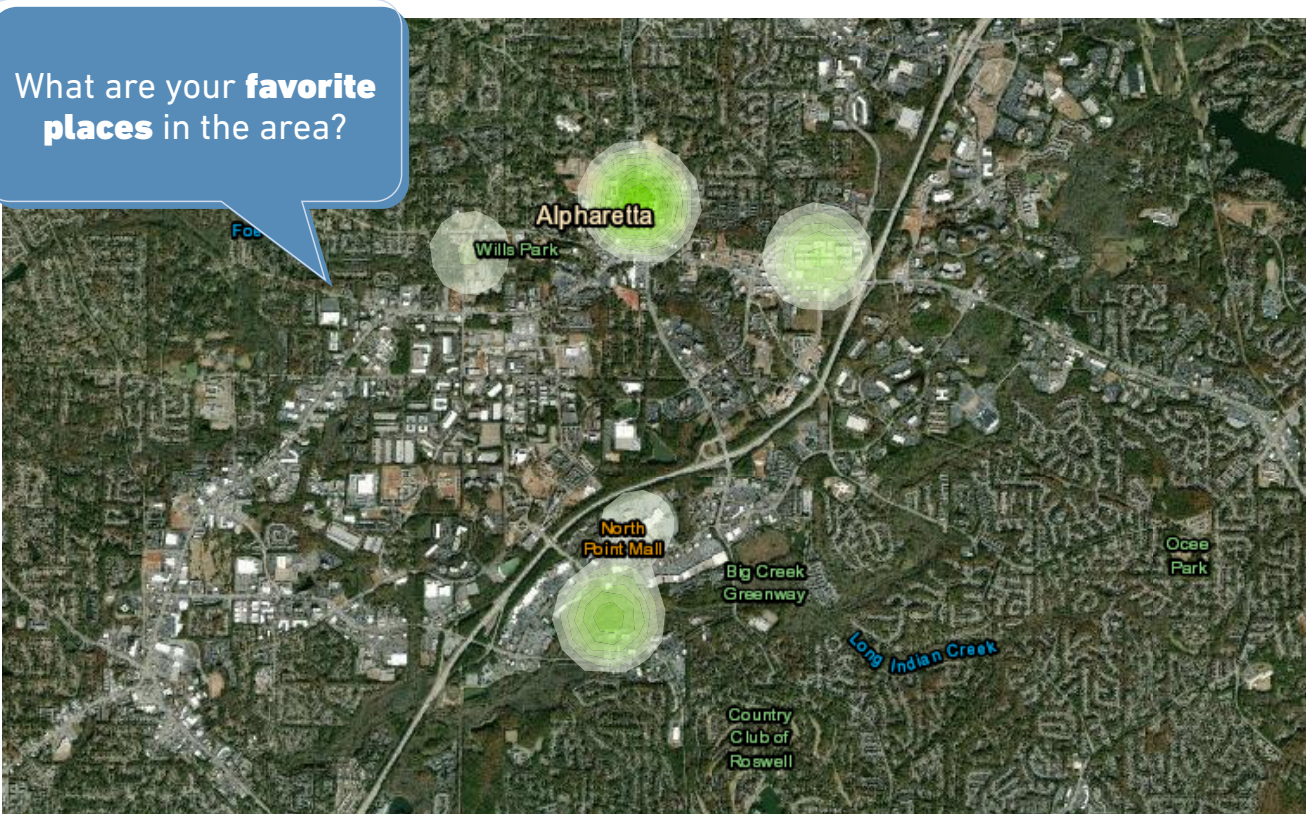
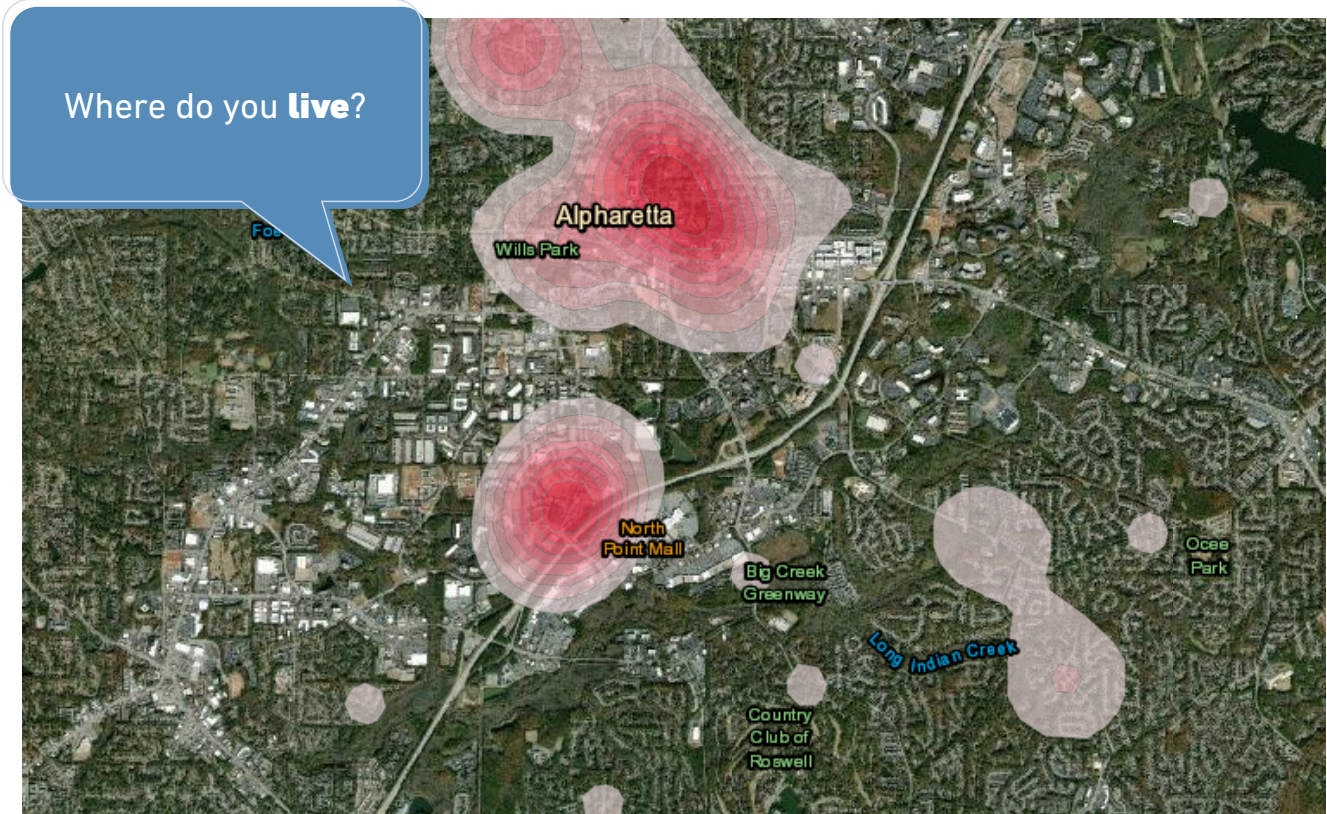
Opportunities & Barriers

Participants were invited to share what they would like to connect to and what keeps them from walking or biking in the area today by filling out a brief web-based survey. This exercise opened on 04/22/20 & closed on 05/25/2020. During that period it received **88 responses**.

The exercise was open between 04/22/2020 & 05/25/2020

88 participants shared their thoughts on opportunities & barriers



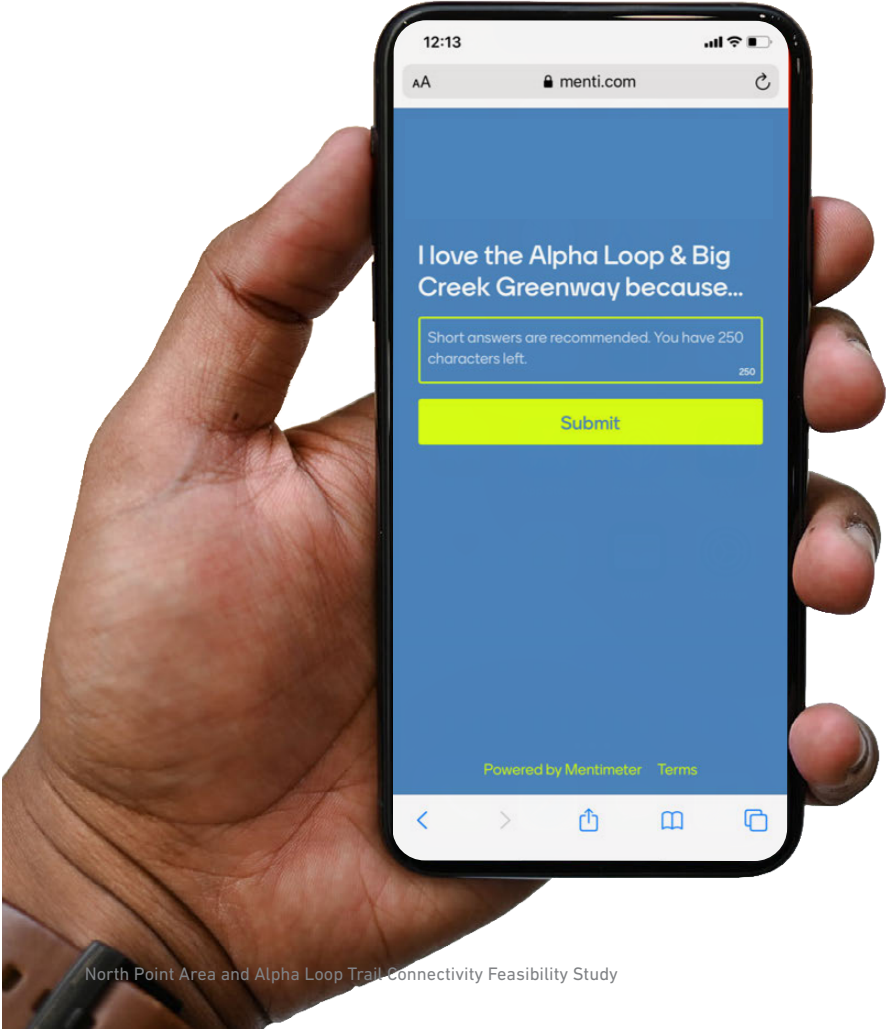


Intercept Survey

Phase 1 of the Intercept Survey launched the week of 04/20/2020 when **1,450 postcards were mailed to area residents**. Phase 2 began on 05/11/2020 when **25 yard signs were strategically located in high-traffic areas** across the community.

The postcards and yard signs were designed to inform the public of the project, promote the Virtual Public Meeting exercises and allow a simple, interactive way for participants to get involved.

The Remote Intercept Survey closed on 05/25/2020. It received **48 responses**.



North Point Area and Alpha Loop Trail Connectivity Feasibility Study



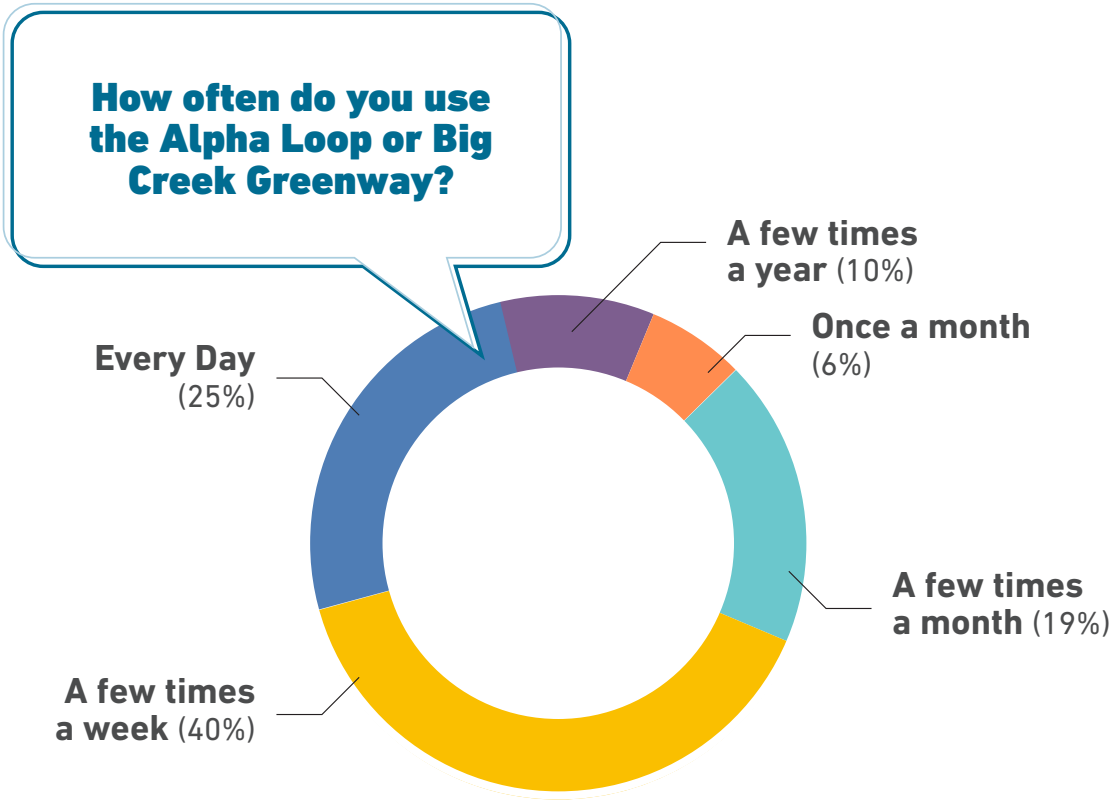
Intercept Survey signage at the Big Creek Greenway - North Point Parkway Trailhead

Intercept Survey

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It's a fantastic element that safely connects areas of Alpharetta, and **provides a way for families to walk or bike together** without the anxiety of cars.

I love the Alpha Loop & Big Creek Greenway because...

I am a senior citizen and the Greenway gives me an opportunity to **get some fresh air and exercise** in a safe, beautiful place.

Safe paths like these **encourage people of ALL ages and abilities** to keep a car at home and ride a bicycle to local shops, local restaurants and green spaces.

I enjoy the outdoors and **meeting friendly faces** along the way while getting my steps in.

MKSK

Columbus, OH
Cincinnati, OH
Detroit, MI
Greenville, SC
Indianapolis, IN
Lafayette, IN
Louisville, KY

NORTH POINT AREA & ALPHA LOOP TRAIL CONNECTIVITY FEASIBILITY STUDY

PUBLIC MEETING #2 ENGAGEMENT SUMMARY



photo: alpharetta.ga.us



MKSK **TOOLE**
DESIGN

ARC
ATLANTA REGIONAL COMMISSION

Public Meeting #2: Overview

In the wake of the COVID-19 outbreak, the planning team adapted its engagement strategy to prioritize the health and well-being of the Alpharetta community.

Out of respect for social distancing, Public Meeting #2 was held outdoors on Wednesday, July 29th from 5:30p - 7:30p. Upon arrival, participants were invited to take a stroll around Morrison Lake and visit a series of thematic stations to discuss the project and share ideas for its future.

To broaden the project's exposure and make the process more accessible, an online survey was made available so those not in attendance had an opportunity to make their voices heard. The online survey was open from July 29th - August 7th.





North Point Area and Alpha Loop Trail Connectivity Feasibility Study

Public Meeting #2: Outreach

Public Meeting #2 was promoted digitally through the City’s social media platforms and via emails to the project’s network of stakeholders and interested community members. Examples of the posts can be seen below.

Help us connect the Alpha Loop & Big Creek Greenway!

Community Workshop
Wednesday, July 29, 2020 | 5:30 - 7:30p
2325 Lakeview Pkwy Alpharetta, GA 30009
Visit www.VisionAlphaLink.com to learn more!



Help us connect the Alpha Loop & Big Creek Greenway!

Community Workshop
Wednesday, July 29, 2020 | 5:30 - 7:30p
2325 Lakeview Pkwy Alpharetta, GA 30009
Visit www.VisionAlphaLink.com to learn more!



Help us connect the Alpha Loop & Big Creek Greenway!

Community Workshop
Wednesday, July 29, 2020 | 5:30 - 7:30p
2325 Lakeview Pkwy Alpharetta, GA 30009
Visit www.VisionAlphaLink.com to learn more!



Join us this evening for a relaxing stroll around the lake!

Community Workshop
Wednesday, July 29, 2020 | 5:30 - 7:30p
2325 Lakeview Pkwy Alpharetta, GA 30009
Visit www.VisionAlphaLink.com to learn more!



Help us connect the Alpha Loop & Big Creek Greenway!

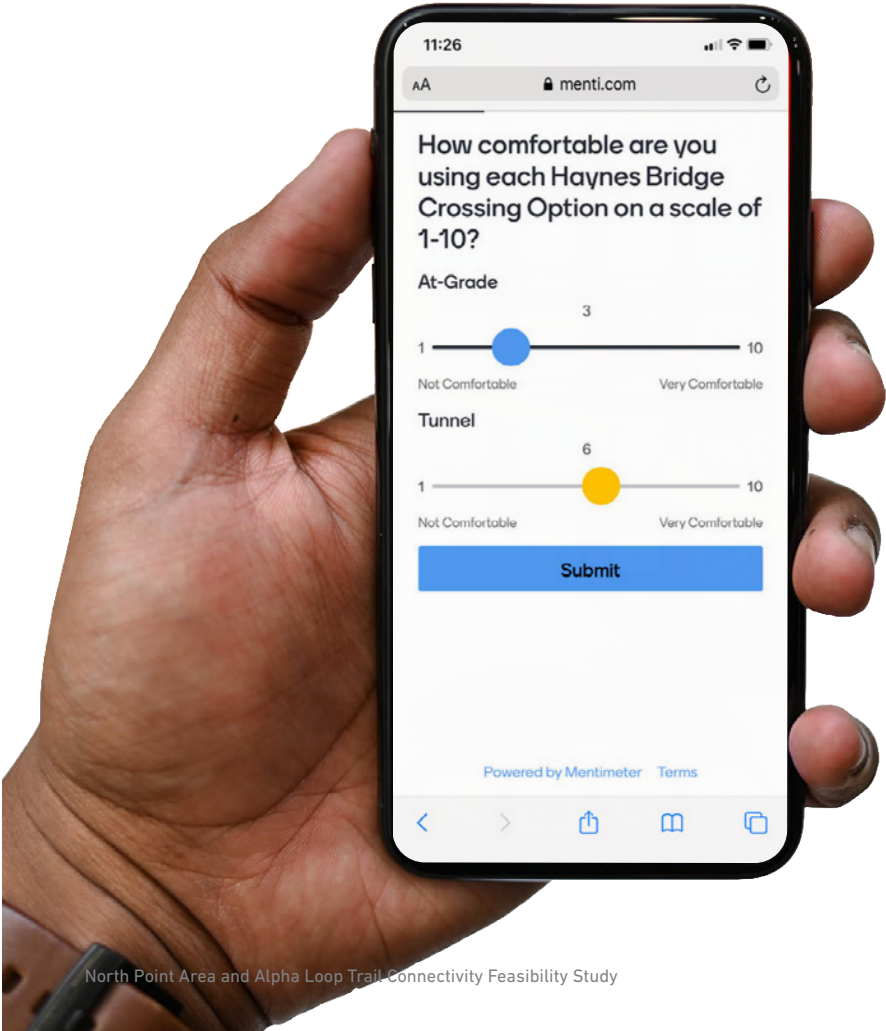


Visit bit.ly/alphalink3 to share your ideas for the future of the Alpha Loop & explore the strategies and recommendations for the “Alpha Link” feasibility study today!

Public Meeting #2: Engagement

Participants were encouraged to submit feedback through the online polling platform Mentimeter, though analog options (post it notes & sticky dots) were available for those uncomfortable with, or unable to access the necessary technology.

Approximately **40 community members** attended the meeting on Wednesday, July 29th. **38 community members** engaged with the online survey.

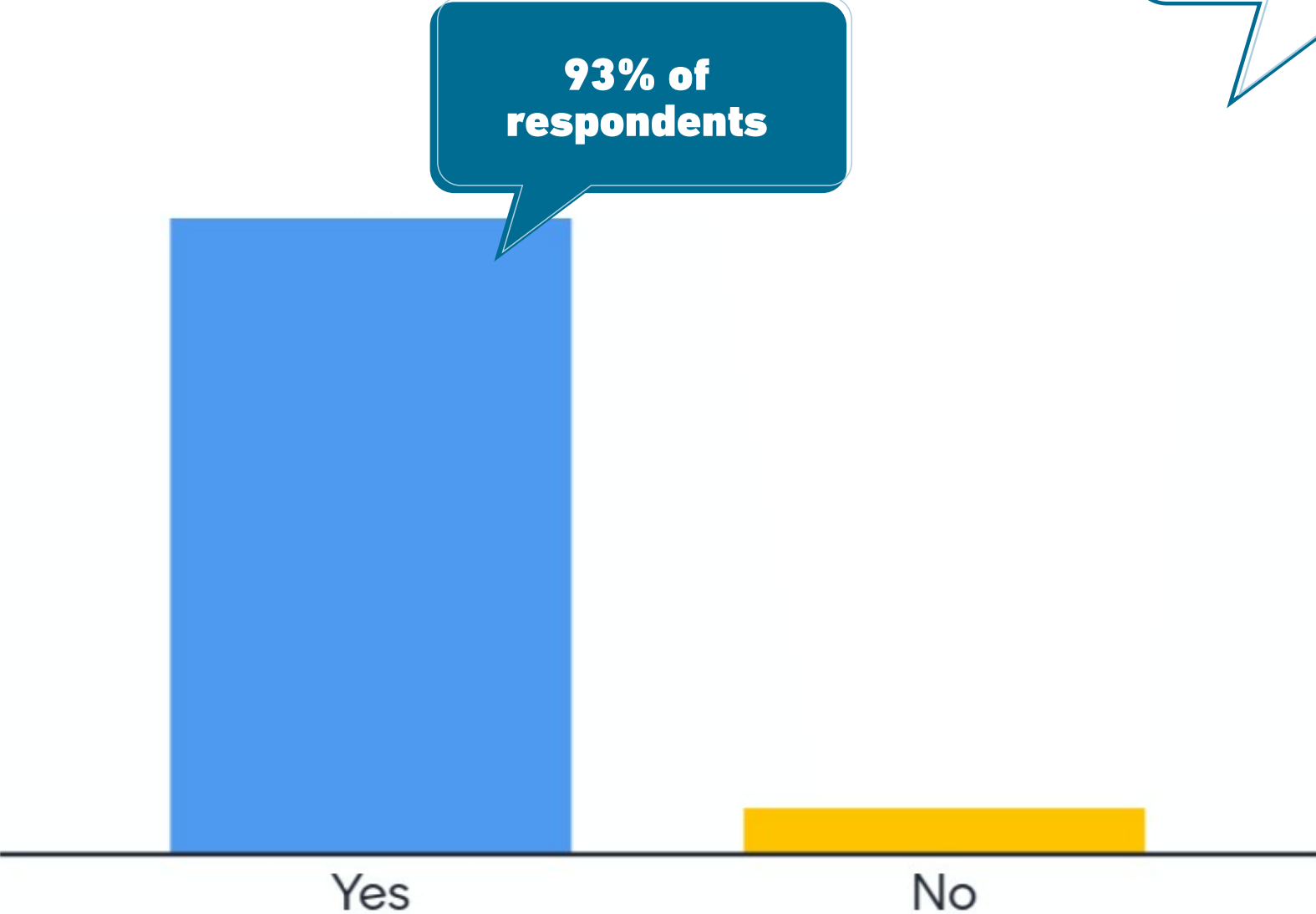


North Point Area and Alpha Loop Trail Connectivity Feasibility Study



Public Meeting #2: Engagement

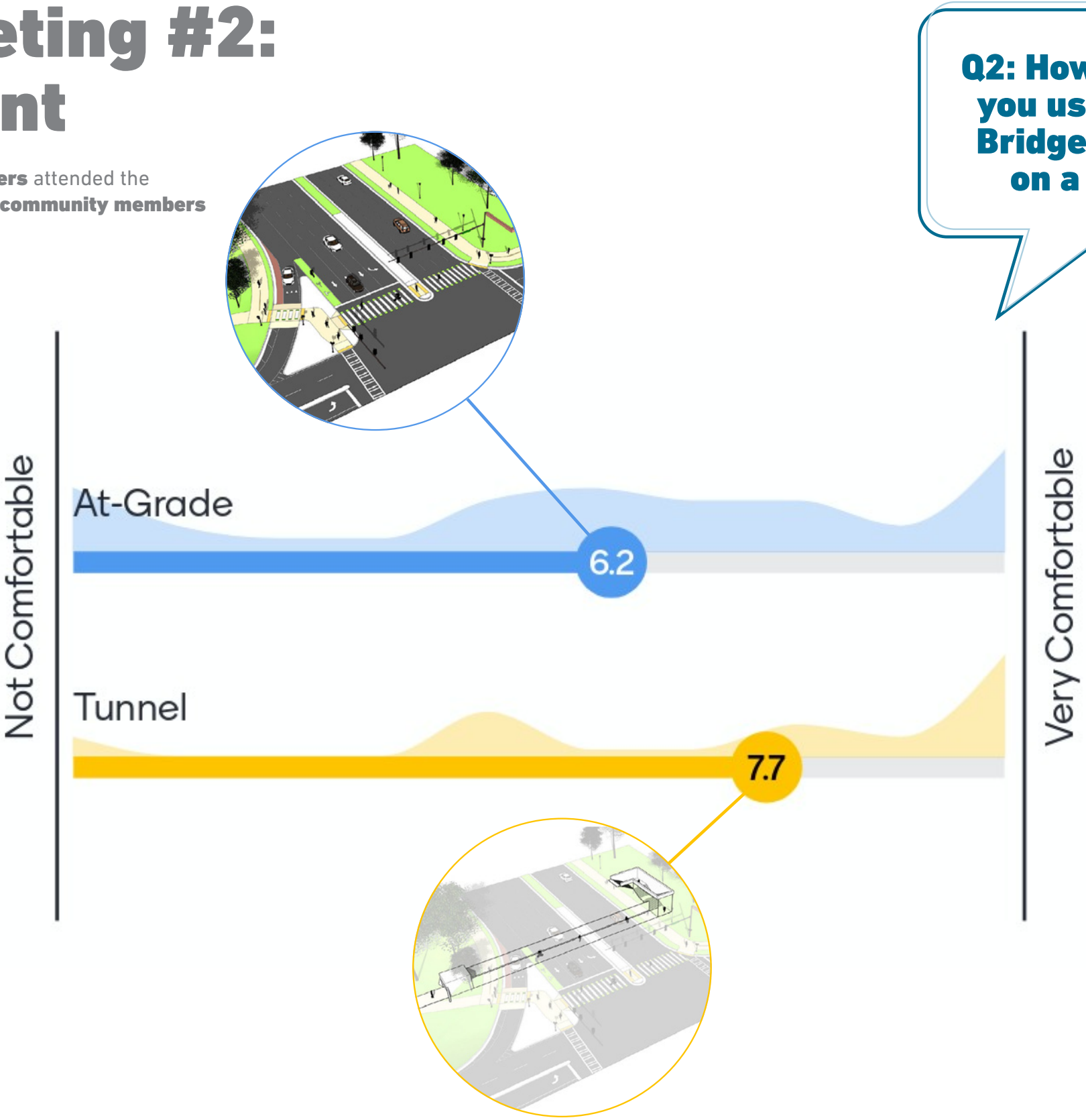
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Q1: Are you a current resident of the City of Alpharetta?

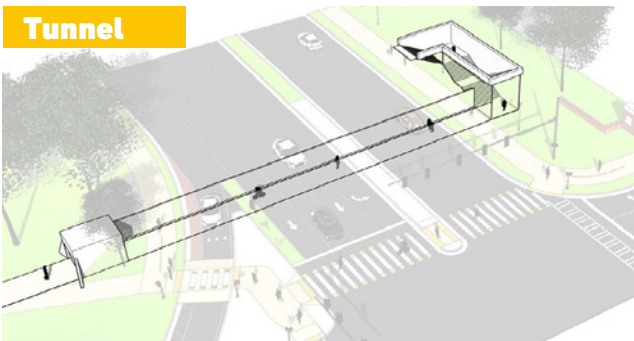
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Public Meeting #2: Engagement

Approximately **40 community members** attended the meeting on Wednesday, July 29th. **38 community members** engaged with the online survey.



Q3: Share your thoughts on each Haynes Bridge Crossing Option!

Both options combined make sense.

A narrow tunnel is not very inviting. More open and well lit tunnel would be preferred. A well branded crosswalk would be inviting while advertise the Alphaloop

At grade seems like a great idea

As people become more aware of the new crossings and actually stop, they will become a safe option. Not aware of where the tunnel is?

Narrow tunnel is NOT inviting. Should be more open and sloping instead of stairs.

I ride my bike in this area. As our community adds density and an increasing number of residents and visitors use things like the loop and other sidewalks, most at grade crossings will be sufficient

Tunnel no brained for safety

Tunnel feels completely safe. At grade right turns on to Haynes bridge concern me. Drivers aren't always paying attention.

At grade crossing would be scary given the number of lanes. Tunnel is safe, efficient for families.

I love the option of a tunnel - seems to be a very safe option for crossing Haynes Br, especially during heavy traffic times

We have to consider the impact to traffic of at at grade crossing - especially with 1700 new jobs coming with Tech 360.

Tunnel with steps 1) not easy to use with bike 2) expensive. Would rather just wait on light to change and cross at grade. I cross it a lot today without fear.

Tunnel has more safety concerns

I prefer the tunnel for safety reasons only. The turn lane onto GA400 Southbound from Haynes Bridge is notorious for aggressive drivers

Most likely will be on bike, so tunnel seems more trouble than it's worth

Tunnel could be dangerous after dark

Haynes Bridge & GA 400 - especially southbound, is notoriously high volume. The farther away an unprotected crossing is from that intersection the better. At a minimum it would require a pedestrian activated crossing signal.

Stair access to a tunnel can be difficult for some bike riders. Being underground can be a personal safety concern for some people.

For the tunnel, if stairs are proposed, please include an access ramp for bikes - both sides of the stairs preferred to accommodate those going up or down.

Need safe off street crossing

I looked at the maps closer and see where the tunnel is now. It would be used by the businesses in the area at lunch and to support the restaurants in that area. The tunnel would be better to not stop the traffic on Haynes Bridge.

Much needed!

Protected crossings are best - bridge, tunnel, wide sidewalks

From a cost benefit perspective, at grade seems to benefit the majority of Alpharetta residents. A tunnel might be more convenient to users, but at what marginal public expense? Achieving this goal is needed.

Tunnel safer. Distracted drivers hardly pay attention to crosswalks. Possibly especially after exiting 400.

Public Meeting #2: Engagement

Approximately **40 community members** attended the meeting on Wednesday, July 29th. **38 community members** engaged with the online survey.



Q4: Share your thoughts on the Encore Pkwy & Fanfare Way Intersection

I think if we are going to call it an extension of the Alpha Loop, we have to have consistency throughout - no on-street bike lines.

Fanfare needs streetlights.

Much needed

Currently seems to be low-volume residential traffic so not a difficult design.

I like it.

Looks good

Like planters vs poles

Need safe crossing

I have not personally crossed there. It is a busy intersection so above the road crossing would be best.

Love it

I like that a lot. As a resident along there I think it will greatly add to the area.

Do Dutch crosswalks provide more safety?

OK

Encore Parkway and Fanfare: If the loop is extended down and through fanfare I feel there needs to be streetlights. The area is extremely dark now. you add pedestrians along fanfare (more than currently) with not lights it will be a disaster.

Keep the primary flow - pedestrian and bike access, all on one path - north side. The street/roadway should allow for ample space for non-trail cyclists operating on the road. No need for lane separation especially if speed rating is 35mph or less.

Public Meeting #2: Engagement

Approximately **40 community members** attended the meeting on Wednesday, July 29th. **38 community members** engaged with the online survey.

- Sidewalk section expanded to encompass north bound bike lane
- Expanded sidewalk paving and planting areas, along with signage and markings to delineate Alpha Loop

Q5: How comfortable are you using each Encore Pkwy Option on a scale of 1-10?



Public Meeting #2: Engagement

Approximately **40 community members** attended the meeting on Wednesday, July 29th. **38 community members** engaged with the online survey.



Q7: Share your thoughts on each Encore Pkwy Option!

Option b is completely acceptable to get the loop completed. Option A could be future phase

Looks good!

Need consistency throughout the Alpha Loop - don't do bikes vs pedestrian in this one area.

Prefer option A I am not comfortable riding my bike on the street even if there is a barrier.

Make Encore Parkway consistent with the initial plan. Save the Mall area and Encore Parkway will be a nice addition to the total plans for the city.

I like the multi-use trail best

Good plan

Option A provides the optimal or maximum available space for all users utilizing the 12' pathway. Cyclists who are comfortable on the road already should have no problem with the standard lane represented in option B.

Option B is not very attractive

Keep the primary flow - pedestrian and bike access, all on one path - north side. The street/roadway should allow for ample space for non-trail cyclists operating on the road. No need for lane separation especially if speed rating is 35mph or less.

Cones are tacky and not as safe as a median

It is OK

Traffic isn't bad here so both options are fine

Need bike/walking paths that are protected/separated from Traffic

I think the best solution is to go with the wider has it accommodate all forms of movement, including the bikes.

Option A seems safer for cyclists

I like the multi-trail better as it allows safe travel for children on bikes.

Option A for both focus areas

If doing the bike lane I would like to see something more substantial as a barrier

I would rather have the bicyclists on the street

I think if we are going to call it an extension of the Alpha Loop, we have to have consistency throughout - no on-street bike lines.

My experience on the Greenways are that the bicyclists are not always courteous of the walkers and runners so keeping them separated would be beat

Public Meeting #2: Engagement

Approximately **40 community members** attended the meeting on Wednesday, July 29th. **38 community members** engaged with the online survey.

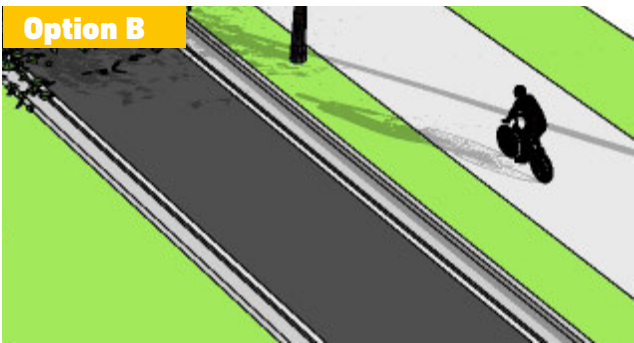
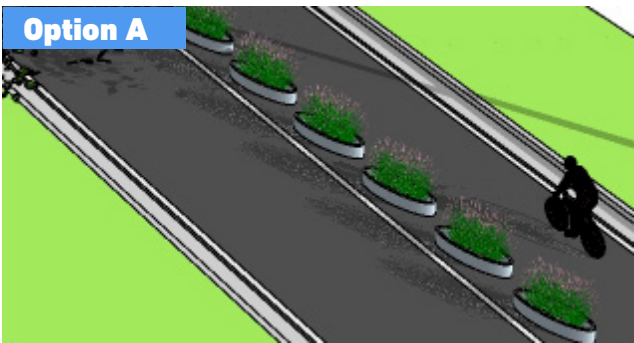
- No change to street section
- Separated Alpha Loop trail delineated with planters on outer east-bound lane.
- Trail width approximately 8-9ft, excluding gutter.

Q8: How comfortable are you using each North Point Center E Option on a scale of 1-10?



Public Meeting #2: Engagement

Approximately **40 community members** attended the meeting on Wednesday, July 29th. **38 community members** engaged with the online survey.



Q9: Share your thoughts on each North Point Center E Option!

Option A is completely acceptable to get loop completed. Option B could be future phase.

I prefer A

I like the direction the design is going

I like all of it

I like all of it

Same

Same

Crosswalks again... safety

Physical separation is the better solution on what can be a high speed run for cars.

Don't like bikes and cars sharing the road

Need consistency throughout the Alpha Loop - don't do bikes vs pedestrian in this one area. And, without a specific pedestrian appealing walkway in option A, it can't really be the Alpha Loop. (Assign special assessments to property owners!!!)

none

Separate from traffic always better and mall entrance can be hectic

I like the multi- use trail best

Need bike/walking paths that are protected/separated from vehicular Traffic

Clarifying comments favoring B, the separated buffered planting strip with trees is more ideal. On the street separation is ok if there is limited space or no current means to expand the footprint to accommodate the added naturescape.

Public Meeting #2: Engagement

Approximately **40 community members** attended the meeting on Wednesday, July 29th. **38 community members** engaged with the online survey.

Q11: Share any closing thoughts you have!

The Alpha Loop is a great amenity amd i look forward to progress.

Love the having new lake for public fishing!!

See this link to the All-American trail in Bentonville,AR. It runs alongside the Razorback Regional Greenway.

The citizens of Alpharetta would also benefit from a northern Alpha Loop/Greenway connection from Avalon along Webb Bridge to the Greenway crossing.

Absolutely love what Alpharetta is doing!

Our family is very enthusiastic about this concept, and hope that it remains a top priority for the city so that it is completed as soon as possible

I think the improvements, whatever they are, will be great and I'm really excited about it!

It is important for everyone to be safe, bikers, walkers and cars. But keep everything flowing.

Need bike/walking paths that are protected/separated from Traffic

The paved Alpha Loop and the addition of unpaved dirt singletrack hiking and mountain biking trails adjacent to it would be a recreational boon for the city and it's residents.

The outdoor workshop was much appreciated, unrelated to COVID as the lake loop trail gave a sense of what could be...Regarding survey administration, if a "< back" option could be available that would be helpful.

I love that the city is looking at more trails and connecting them but being safe for all residents.

MKSK

Columbus, OH

Cincinnati, OH

Detroit, MI

Greenville, SC

Indianapolis, IN

Lafayette, IN

Louisville, KY

Alpha Loop - Haynes Bridge Road and Summit Place/GA400

This document is a summary of the at-grade trail crossing of the proposed Alpha Loop at Haynes Bridge Road and Summit Place. The design has evolved with additional information and GDOT coordination. This memo summarizes the opportunities and constraints for the design development and coordination in the next stage.

Design Layout

Toole Design developed an at-grade crossing for Haynes Bridge illustrated in **Figure 1** that featured a refuge island and based on the current configuration for the intersection and traffic analysis. The proposed trail crossing is on the north leg of the intersection and incorporates widened ramps and re-configured slip lane for increased safety and sight lines. The concept was based upon the existing lane arrangement and layout for the intersection.

Figure 2 shows the recently approved signal permit/plan for Haynes Bridge and the 400 SB ramps/Summit Place. The project adds additional turn lanes and changed signal phasing. The majority of the Haynes Bridge and Alpha Loop concept design was prepared prior to receiving the GDOT design. To make the Alpha Loop design work with the GDOT plan as currently configured, the refuge space was removed and illustrated in Figure 3. This is primarily due to the turning movements from the GA400 off-ramp and the proposed addition of a second left turn lane.



Figure 1: Snapshot of the Draft At-Grade Alpha Loop Crossing Concept

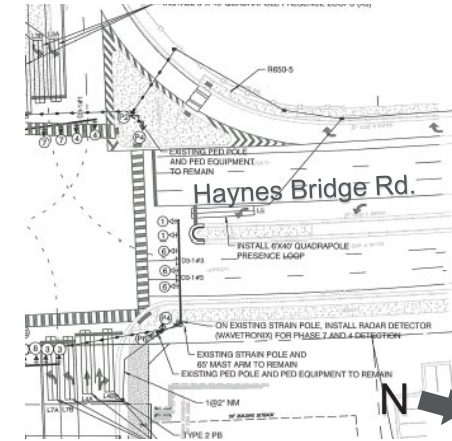


Figure 2: Proposed Signal Plan – GDOT



Figure 3: Aligned Alpha Loop Crossing Concept

Opportunities

The following is a list of design options to investigate and coordinate at the next design stage:

- Shifting trail crossing north to allow refuge island to be restored from preferred Alpha Loop crossing concept
 - Confirm turning movements and coordinate lane alignments with GDOT – this may mean coordination on which left turn lane trucks use through signage/enforcement
 - Layout new slip lane and island to accommodate this shifted crossing
 - Look into angling the trail crossing slightly
- Confirm signal phasing to optimize eastbound left turns from GA400 onto Haynes Bridge Rd
 - This will allow for no turns on red from Summit Place and reduce conflict to re-aligning the GA400 EBL turns into the two eastern lanes of Haynes Bridge
 - Look for opportunities to maximize safety and crossing times for trail users

Constraints

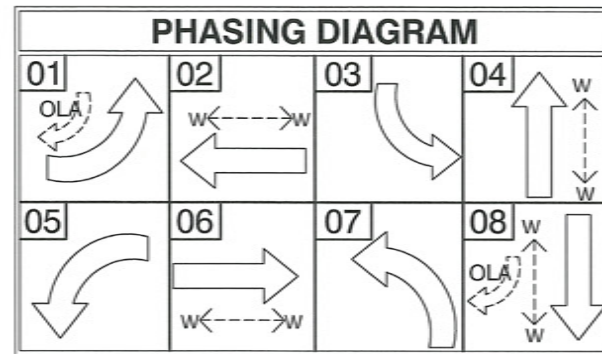
The following are constraints for re-introducing a refuge island for the trail crossing:

- Timing of GDOT construction or approvals for the existing design
- The proposed GDOT project removes the dedicated right turn from Summit Place to Haynes Bridge Road.
 - As a through and right-turn movement it could cause bike/vehicle conflicts as the movements aren't separated. This conflict could be an issue depending on the expected peak hour turns across the trail crossing.
- Crossing distances/clearance times
 - With new stop bar locations needed at a shifted trail crossing, the signal timing and clearance times would need to be re-evaluated.

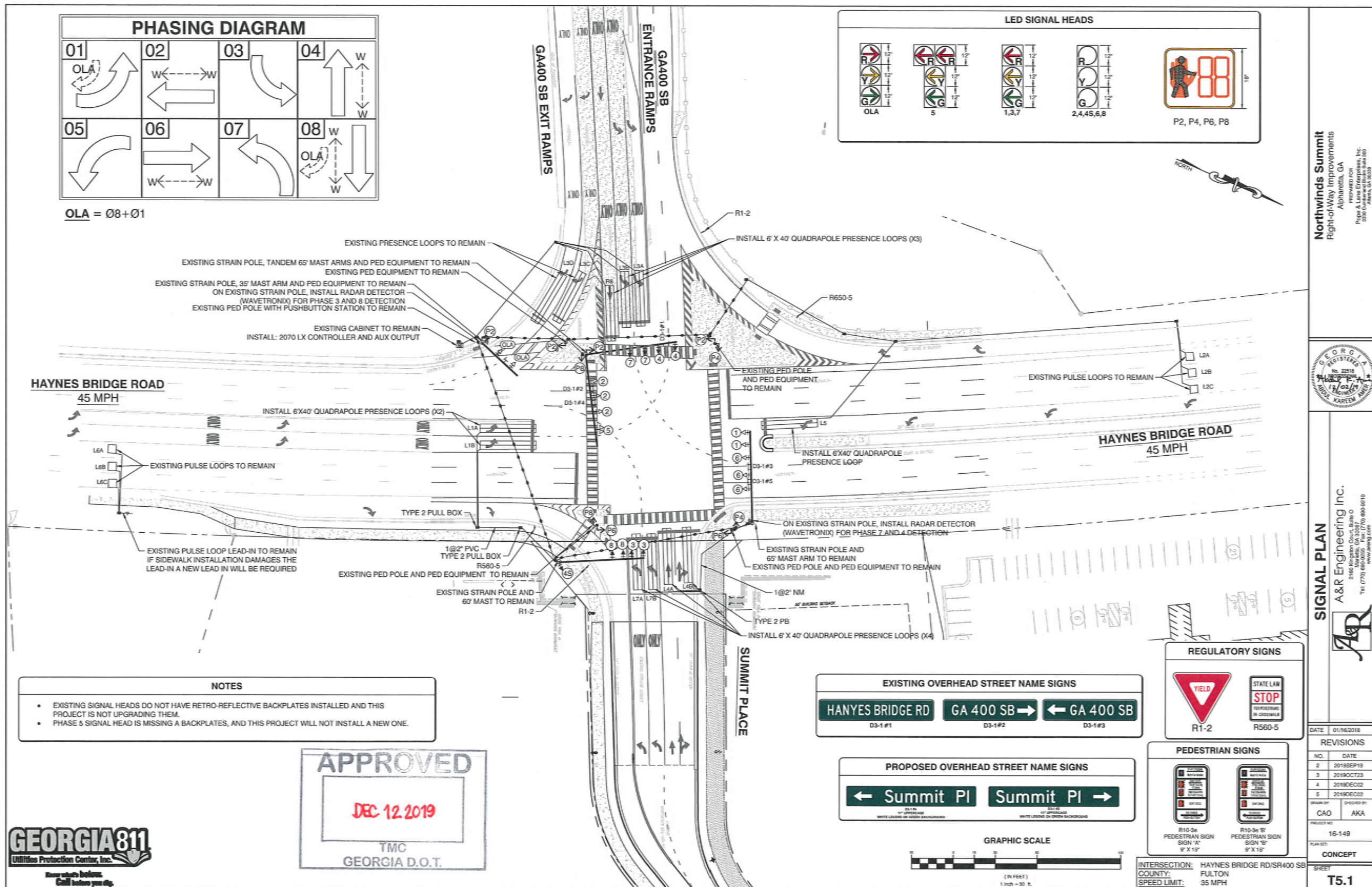
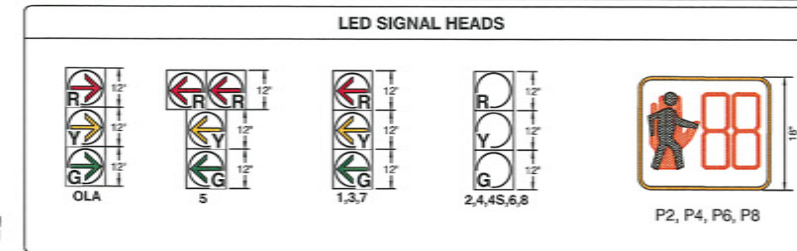
Next Steps

In addition to evaluation of the described opportunities and constraints, we recommend the following next steps:

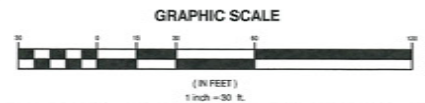
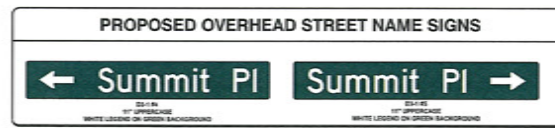
- Evaluate the proposed GDOT signal design/permit and look for opportunities to revise for the safety of all users
- Obtain the signal design project AutoCAD/MicroStation files to help explore any linework or design updates
- Coordinate with GDOT to confirm design/control vehicles for the turn onto Haynes Bridge Road
 - Prepare exhibits on proposed lane/extension lines to determine potential refuge location



OLA = 08+01



- ### NOTES
- EXISTING SIGNAL HEADS DO NOT HAVE RETRO-REFLECTIVE BACKPLATES INSTALLED AND THIS PROJECT IS NOT UPGRADING THEM.
 - PHASE 5 SIGNAL HEAD IS MISSING A BACKPLATES, AND THIS PROJECT WILL NOT INSTALL A NEW ONE.



INTERSECTION: HAYNES BRIDGE RD/SR400 SB
 COUNTY: FULTON
 SPEED LIMIT: 35 MPH

Northwinds Summit
 Right-of-Way Improvements
 Alpharetta, GA
 PREPARED FOR:
 PLANNING DEPARTMENT, INC.
 3300 COMMERCE BLVD
 ALPHARETTA, GA 30005

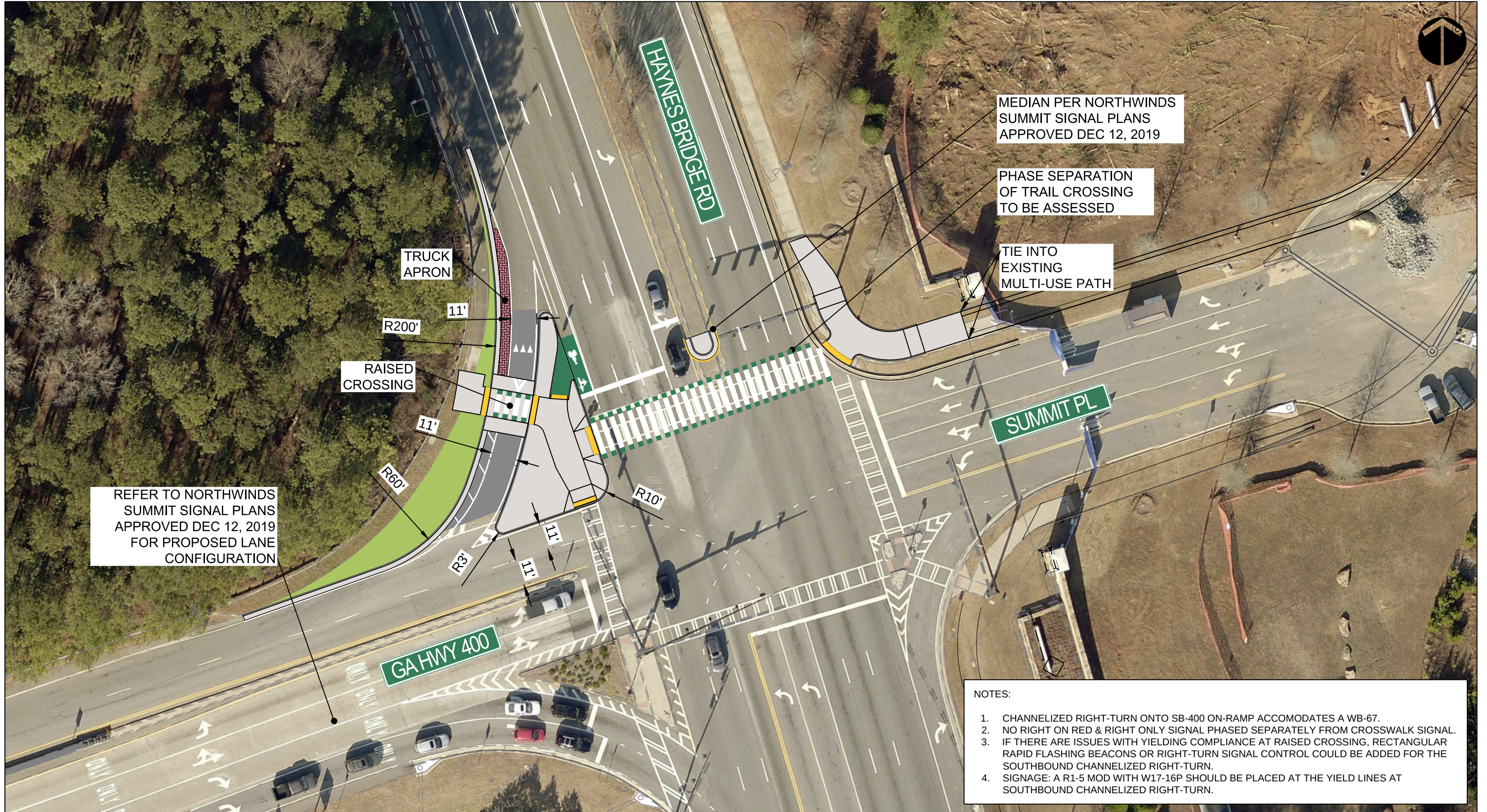


SIGNAL PLAN
A&R Engineering Inc.
 2160 Kingston Court, Suite O
 Alpharetta, GA 30009
 Tel: (770) 682-8255 Fax: (770) 682-8210
 www.aandeng.com

REVISIONS	
NO.	DATE
1	2019SEP19
2	2019OCT23
3	2019DEC02
4	2019DEC02
5	2019DEC02
DRAWN BY: CAO	
CHECKED BY: AKA	
PROJECT NO: 16-149	
PLAN SET: CONCEPT	
SHEET: T5.1	

Signal Plan for Haynes Bridge Road & GA 400 Southbound Entrance Ramps

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10/06/20



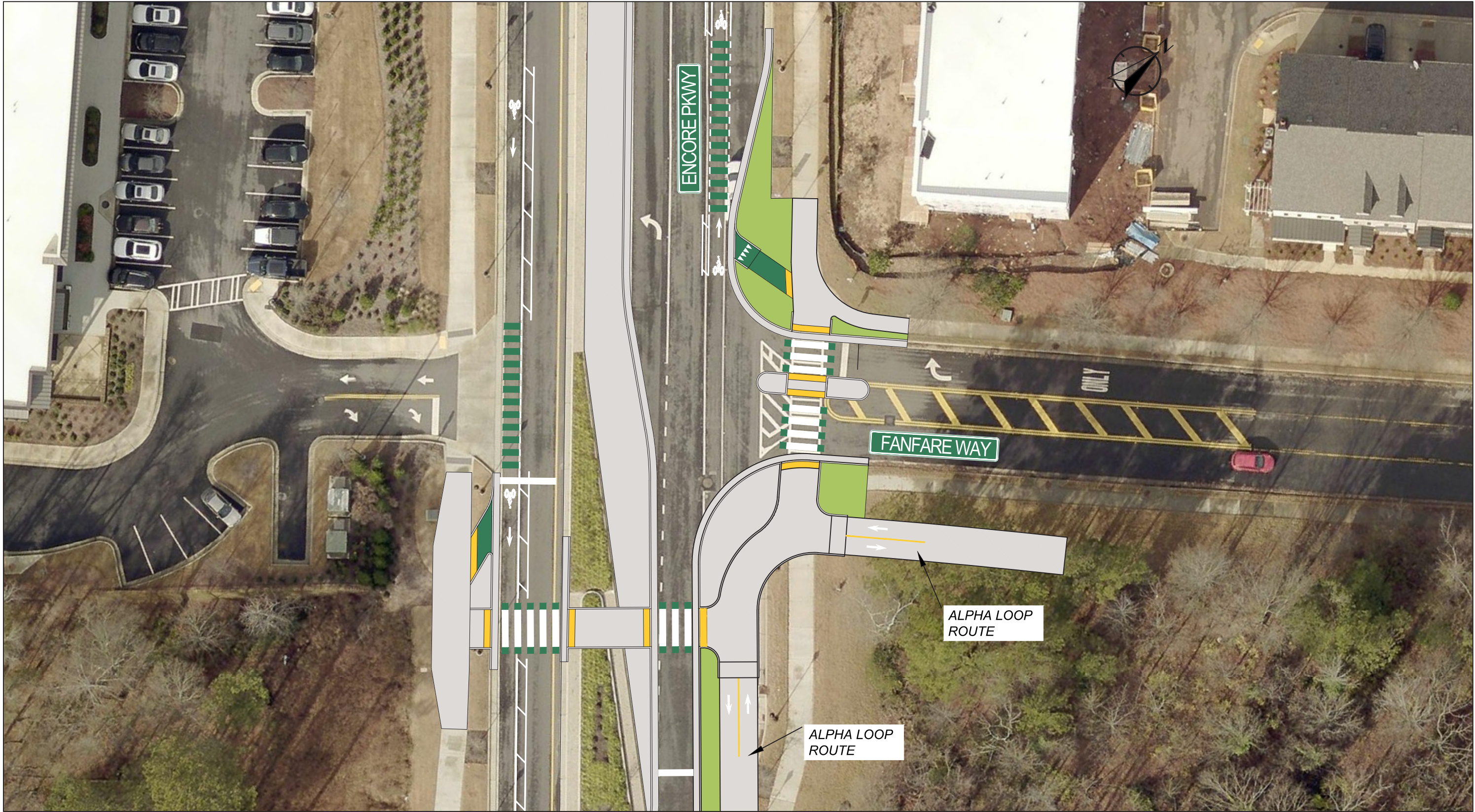
THIS IS A PRELIMINARY CONCEPT. FIELD VERIFICATION, SITE CONDITION ASSESSMENTS, ENGINEERING ANALYSIS AND DESIGN ARE NECESSARY PRIOR TO IMPLEMENTING ANY OF THE RECOMMENDATIONS CONTAINED HEREIN.



TOOLE
DESIGN

Exhibit 1
AT GRADE CROSSING CONCEPT PLAN
S ALPHA LOOP
10/06/2020

PRELIMINARY CONCEPT - NOT FOR CONSTRUCTION



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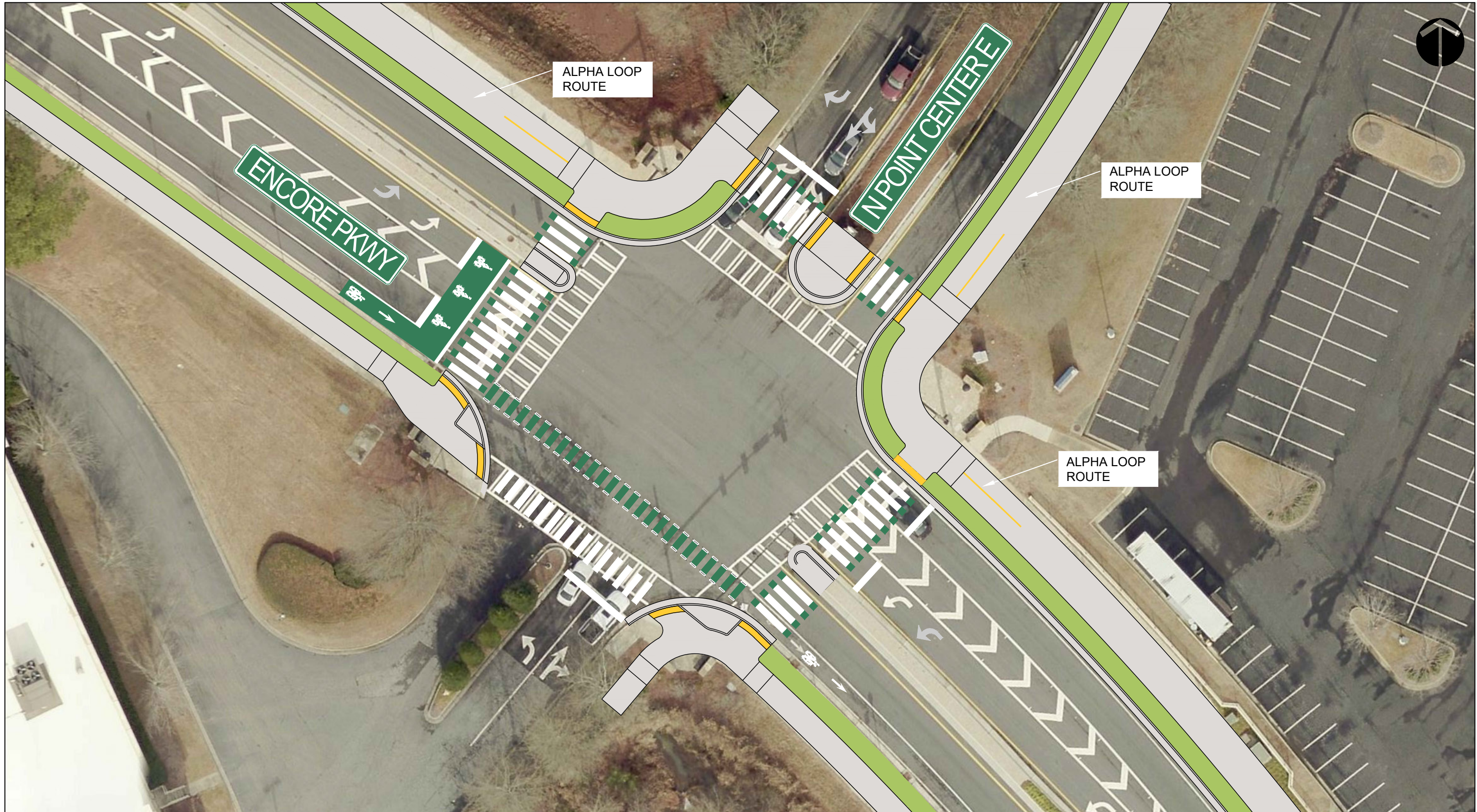


TOOLE
DESIGN

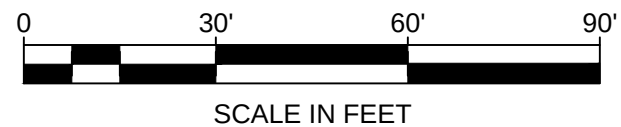
Exhibit 3
ENCORE PKWY & FANFARE WAY INTERSECTION
S ALPHA LOOP
10/02/2020

PRELIMINARY CONCEPT - NOT FOR CONSTRUCTION

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09/24/20



THIS IS A PRELIMINARY CONCEPT. FIELD VERIFICATION, SITE CONDITION ASSESSMENTS, ENGINEERING ANALYSIS AND DESIGN ARE NECESSARY PRIOR TO IMPLEMENTING ANY OF THE RECOMMENDATIONS CONTAINED HEREIN.



TOOLE
DESIGN

Exhibit 1
ENCORE PKWY & N POINT CENTER E INTERSECTION
S ALPHA LOOP
09/23/2020

Alpha Loop Crosswalk Markings

This document is a summary of the current best-practice guidance and review of the proposed crosswalk markings for the Alpha Loop Trail crossings in Alpharetta, GA. Given the early planning level stage, these recommendations should be re-evaluated at the implementation or detailed design phase.

Compliance and Guidance

The proposed crossing is intended to include a compliant pedestrian crosswalk with white transverse markings and a hi-visibility portion of crosswalk with continental markings (24" white with a spacing of 4-6' O.C. typ). The detectable warning surfaces shall extend the full width of the crosswalk. We recommend that yellow detectable warnings be used for the high-visibility side of the crossing and then green detectable warnings for the bike portion crossing to reinforce the intended users are different while still meeting the requirements of ADA.

Our guidance for the crossing is: as long as these red lines are painted as crosswalk lines, then anything between them may be interpreted as a decorative crosswalk. The white lines of the high visibility portion of the crosswalk may be painted as retroreflective markings because that is an allowable crosswalk treatment, but because the green isn't being installed in a manner that designates a bike-only lane, we would recommend that the green paint be non-retroreflective to comply with the FHWA guidance on decorative crosswalks.

Paint should not be used inside the refuge median – we propose meeting at least the minimum width for all refuge areas and including two sets of detectable warning. As illustrated in Figure 2, the key features of these crosswalks are the outside white transverse, hi-visibility section, and the non-retroreflective, decorative leaf markings.



Figure 1: Split Bike/Ped Crossing Detectable Warning



Figure 2: Proposed Alpha Loop Marking Style

Other recent urban trail crosswalk examples include:

- City of Charlotte - uses the FHWA approved green in between their typical high-visibility white ladder (piano style) crosswalk markings
- City of Houston – uses 24" continental crosswalk markings with 2'x2' elephant feet green markings outside
- City of Orlando – at trail crossings or certain neighborhoods, Duratherm colored or branded treatments are being used within the high-visibility ladder crosswalk markings. For the trail crossing we are designing, the Duratherm within the high-visibility crosswalk markings is bike-lane green.

The Houston and Charlotte crossing examples are closer to the FHWA ruling and guidance based on our interpretation while the Alpha Loop treatments of green will more of the decorative green treatment similar to the Orlando example.

Liability

If Toole Design was the Engineer-of-Record for the design of the crossings, we would evaluate each of the proposed striping designs on a case-by-case basis. This includes mural style crosswalks and various color styles. Oftentimes, the artistic mural style crosswalks are done in-house by cities and the liability rests with the interpretation of the implementing City. For murals and artistic style that vary from the accepted MUCTD and FHWA ruling color recommendations, it is sometimes preferred that the work be done in-house by a City after completion of the legal high-visibility or transverse crosswalk markings. Typically, a jurisdiction's engineering staff would collaborate with the legal team to reach a consensus or approach.

Funding

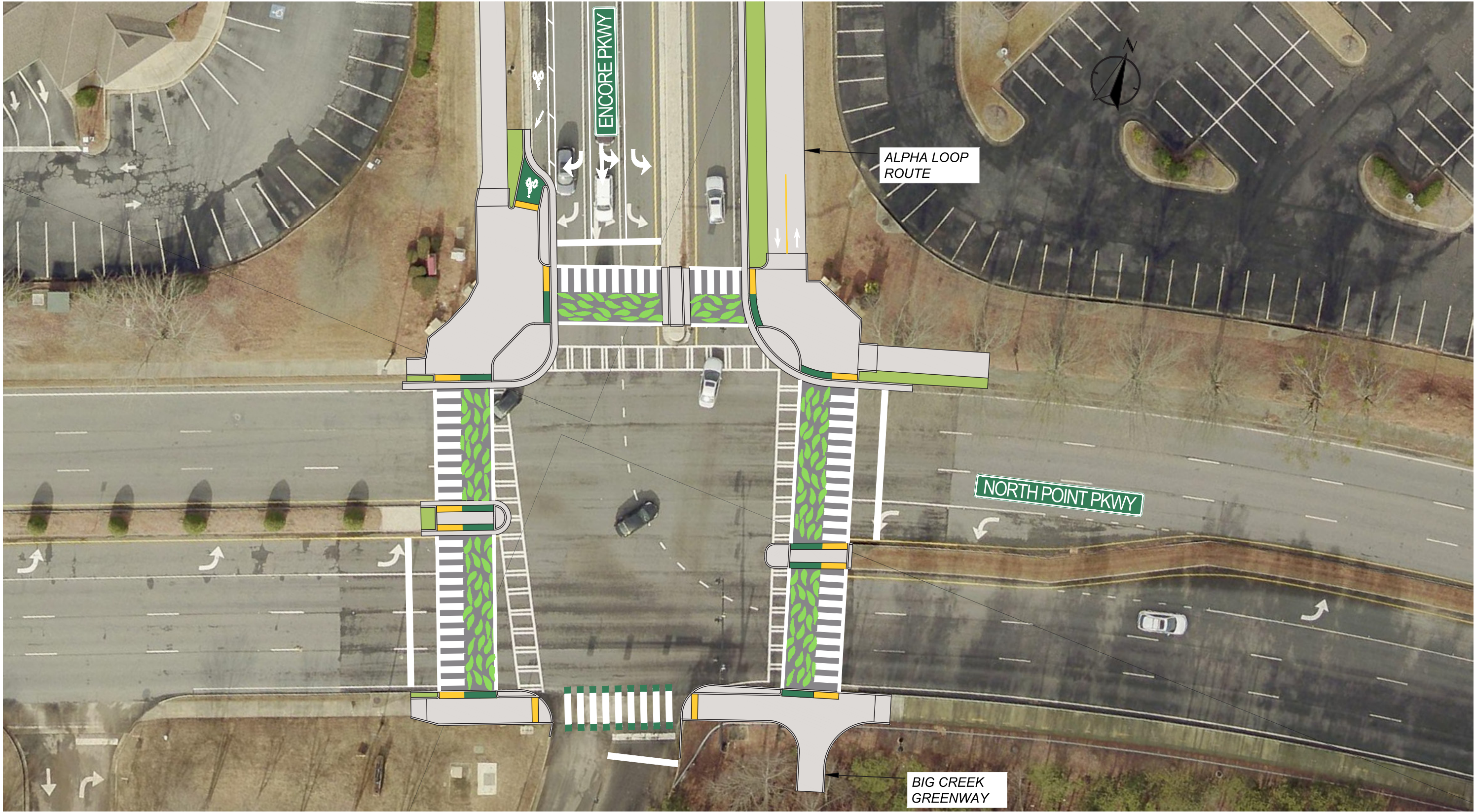
The design of these decorative style crosswalks is often dependent on the source of construction funding and the approval or review process for the funding agency. A State DOT or FHWA may not interpret these types of designs in the same way a City might or as described in the memo.

Disclaimer

Given the early nature of these crossing designs, we have the following disclaimer:

This is a preliminary document and concept design. All results, recommendations, cost opinions, and commentary contained herein are based on limited available data at the time of preparation. Further engineering analysis and design are necessary prior to implementing any of the recommendations contained herein. This document is an instrument of professional service. Reuse or alteration is at the user's sole risk

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10/2/2020



THIS IS A PRELIMINARY CONCEPT. FIELD VERIFICATION, SITE CONDITION ASSESSMENTS, ENGINEERING ANALYSIS AND DESIGN ARE NECESSARY PRIOR TO IMPLEMENTING ANY OF THE RECOMMENDATIONS CONTAINED HEREIN.



TOOLE
DESIGN

Exhibit 2
ENCORE PKWY & NORTH POINT PKWY INTERSECTION
S ALPHA LOOP
10/02/2020

INTRODUCTION

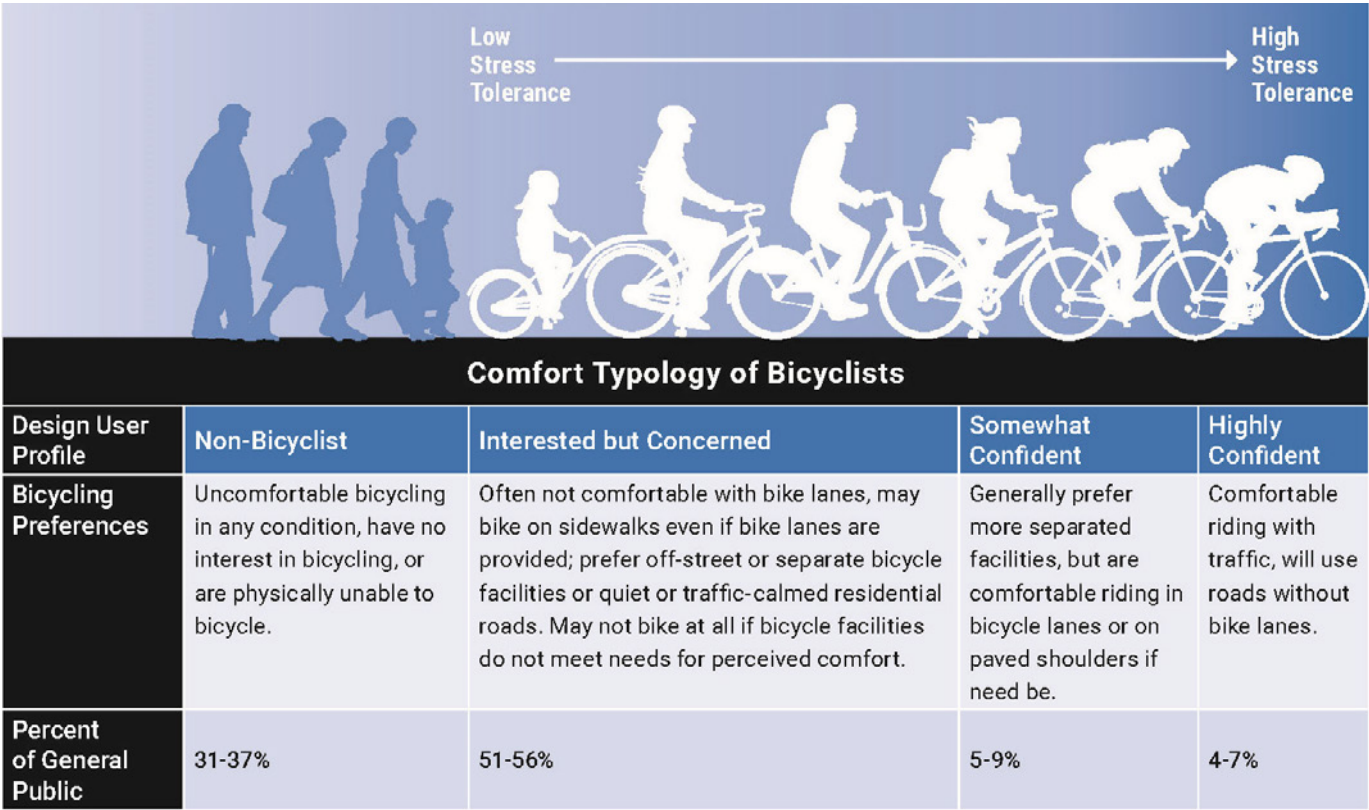
This document provides an overview of the existing conditions of the roadway network within the Alpha Loop Extension Feasibility Study area, including a level of traffic stress analysis for cycling routes, and a more detailed overview of the characteristics of roads that interface directly with the proposed extension.

LEVEL OF TRAFFIC STRESS ANALYSIS

Excellent bike networks are designed to attract a broad range of potential users with safe and comfortable facilities, including people who are interested in riding but concerned about the experience. Bicyclists have varying levels of tolerance for the stress created by the volume, speed, and proximity of adjacent traffic. Both the condition of bicycle facilities and the street itself inform the users experience. A safe, connected, and consistent bicycle facility is also indicative of a safe pedestrian facility. A bicyclist's tolerance may change over time with bicycling experience.

Figures 1 illustrates the different types of potential cyclist user types, including people who would never consider cycling, those who are interested but concerned, somewhat confident riders, and highly confident riders. Each user type has a different threshold for the level of traffic stress they find comfortable while cycling. Nationally, over

Figure 1. Bicyclist User Type Descriptions



50 percent of people indicate that they are “interested but concerned” in bicycling and would like to ride more often.¹ Over 50 percent say they are worried about being hit by a car, and nearly 50 percent say they would more likely ride a bike if physical separation were provided between motor vehicles and bicycles.² While the prescribed user types and cited research are specific to bicyclists, pedestrians also prefer to be placed further away from the curb and/or have a buffer between themselves and motor vehicle traffic. Lower stress environments result in increased numbers of people biking and walking because lower stress design typically accommodates both user types through the combination of sidewalks, separated bike lanes, and multiuse paths.

To quantify bicyclist comfort within the study area, a Level of Traffic Stress (LTS) analysis was performed. The analysis was conducted based on criteria developed by Peter Furth³, adapted to account for available data and local context.

There are four levels of traffic stress used to describe how appropriate a route is for different types of users:

LTS 1: Comfortable for most ages and abilities

A score of LTS 1 is assigned to routes where the amount of attention required from cyclists is minimal, making it safe for all levels of cyclists, including children. These roads are characterized by lower traffic speeds (25 miles per hour or less) and up to two travel lanes. With on-street bike lanes, they may have up to three lanes and speeds of up to 30 miles per hour. Multiuse paths, trails, and greenways are also assigned LTS 1.

LTS 2: Comfortable for most adults

LTS 2 is assigned to local roads that have relatively low speeds, low traffic volumes, and speeds of up to 35 miles per hour, depending on other characteristics. These conditions are acceptable for the mainstream adult population, including interested but concerned riders, but may not be comfortable for children. While they require more attention from riders than LTS 1, they are still appropriate for most adult rider skill levels.

LTS 3: Tolerable for somewhat confident cyclists

Segments with a classification of LTS 3 require interaction with moderate speed or multilane traffic, or in close proximity to higher speed traffic. These corridors are generally acceptable for enthusiastic riders who are confident in their abilities and are comfortable in shared traffic, but prefer separation from vehicles.

LTS 4: Suitable for highly confident cyclists

Roads with a score of LTS 4 are only suitable for the most advanced levels of cyclists, those who are highly confident and comfortable riding with traffic. On these streets, cyclists must interact with higher speed traffic or in close proximity to high speed traffic. In reality, some LTS 4 routes, such as highways, are not appropriate for even the most advanced cyclists.

By maximizing the number of routes that connect community destinations with low-stress LTS 1 and LTS 2 facilities, Alpharetta can attract more interested but concerned riders to bike for some trips, significantly increasing the population of potential riders.

¹ Dill, J., McNeil, N. (2015). Revisiting the Four Types of Cyclists. Transportation Research Board.
² U.S. Bicycling Participation Benchmarking Study (2014).
³ Furth, P. Level of Traffic Stress Criteria for Road Segments – Version 2.0. Northeastern University College of Engineering. June 2017.

METHODOLOGY

The following pages illustrate roadway conditions that factor into the LTS analysis: number of lanes, traffic volumes, prevailing speeds, centerline treatments, and bicycle facilities. Data was collected using available information from the City of Alpharetta and the Georgia Department of Transportation (GDOT), as well as a desktop survey of the roadway network using aerial imagery. GDOT collects Annual Average Daily Traffic (AADT) data for select roads within the analysis area. Actual traffic counts were used where available. Where actual counts were unavailable, typical volumes were assigned based on road classification and network connectivity. While prevailing speeds may differ from posted speeds, actual travel speed data was not available; posted speed limits were used as a proxy. Potential errors in the original data may result in errors in the analysis.

All multiuse paths, trails, and greenways, which offer cyclists comfortable facilities separated from vehicular traffic, score an LTS 1. The following tables summarize the LTS assigned to road segments based on their characteristics. Table 1 is used for streets without designated bicycle facilities, where cyclists must ride in mixed traffic. Table 2 is used for streets with on-street bicycle facilities, including marked bicycle lanes and shoulders with a minimum width of four feet.

Table 1. Level of Traffic Stress Scores for Segments Without Bicycle Facilities

Number of Lanes	AADT	Speed (mph)						
		≤ 20	25	30	35	40	45	50+
2 lanes, no centerline	0-750	LTS 1	LTS 1	LTS 2	LTS 2	LTS 3	LTS 3	LTS 3
	751-1,500	LTS 1	LTS 1	LTS 2	LTS 3	LTS 3	LTS 4	LTS 4
	1,501-3,000	LTS 2	LTS 2	LTS 3	LTS 3	LTS 4	LTS 4	LTS 4
	3,000+	LTS 3	LTS 3	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4
2 lanes, with centerline	0-750	LTS 1	LTS 1	LTS 2	LTS 2	LTS 3	LTS 3	LTS 3
	751-1,500	LTS 2	LTS 2	LTS 2	LTS 3	LTS 3	LTS 4	LTS 4
	1,501-3,000	LTS 2	LTS 3	LTS 3	LTS 4	LTS 4	LTS 4	LTS 4
	3,001-6,000	LTS 3	LTS 3	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4
	6,001-10,000	LTS 3	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4
	10,001+	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4
3-4 lanes	0-6,000	LTS 3	LTS 3	LTS 3	LTS 3	LTS 4	LTS 4	LTS 4
	6,001-12,000	LTS 3	LTS 3	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4
	12,001+	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4
5+ lanes	Any AADT	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4	LTS 4

Table 2. Level of Traffic Stress With On-Street Bicycle Facilities

Number of lanes	Bike Lane Width	Speed (mph)					
		25	30	35	40	45	50+
2 lanes or unlaned	6+ ft	LTS 1	LTS 1	LTS 2	LTS 3	LTS 3	LTS 3
	4 or 5 ft	LTS 2	LTS 2	LTS 2	LTS 3	LTS 3	LTS 4
3-4 lanes	6+ ft	LTS 2	LTS 2	LTS 2	LTS 3	LTS 3	LTS 3
	4 or 5 ft	LTS 2	LTS 2	LTS 2	LTS 3	LTS 4	LTS 4
5+ lanes	any width	LTS 3	LTS 3	LTS 3	LTS 4	LTS 4	LTS 4

RESULTS

Throughout the study area, there are few existing low-stress bicycle facilities that connect destinations. Most of the effective road network has a score of LTS 3 or higher, meaning they are only suitable for enthusiastic riders who are confident in their abilities. The low-stress routes that do exist are disjointed and do not create continuous connections between community destinations, resulting in a limited number of options for people who are interested but concerned to comfortably travel through Alpharetta by bike.

None of the existing bicycle facilities provide the east-west connection between Haynes Bridge Road and Encore Parkway north of Georgia 400 that will be added by the proposed extension.

Low-Stress Routes (LTS 1 and 2)

Within the analysis area, low-stress routes for cyclists include:

- Multiuse paths and trails like the Alpha Loop and Big Creek Greenway
- On-street bike lanes on low-speed roads like Encore Parkway (Westside Parkway to North Point Parkway) and Haynes Bridge Road (Thompson Street to Academy Street)
- Low-speed, low-volume, two-lane roads located primarily in residential neighborhoods and private developments

Most of the LTS 1 streets in the area are located within developments and do not provide many connections between community destinations. There is not currently a continuous, low-stress route for interested but concerned users travel between Downtown Alpharetta or Avalon and destinations in the North Point Mall area like retailers, the proposed BRT station, and Big Creek Greenway. If the proposed Alpha Loop Extension is constructed, the only significant gap remaining to connect these destinations with a low-stress cycling route would be the section of Northwinds Parkway from Kimball Bridge Road to Summit Place.

Medium-Stress Routes (LTS 3)

Some routes with existing bicycle facilities score an LTS 3 and would not be considered comfortable for the typical adult. These include:

- On-street bike lanes or shoulders without buffers on higher-speed, multilane roads like Northwinds Parkway (Kimball Bridge Road to Old Milton Parkway) and North Point Parkway (Haynes Bridge Road to Kimball Bridge Road)
- Multilane roads with low volumes and speeds, like the primary streets in Avalon .

High-Stress Routes (LTS 4)

Many of the major roads in the analysis area score an LTS 4, meaning they are only tolerable for highly confident cyclists. These include:

- Higher speed, higher volume, multilane roads without bicycle facilities like Old Milton Parkway, Westside Parkway, and portions of North Point Parkway
- Two-lane roads with high speeds like Maxwell Road

Some LTS 4 roads, like Georgia 400, are not appropriate for cyclists regardless of their level of comfort.

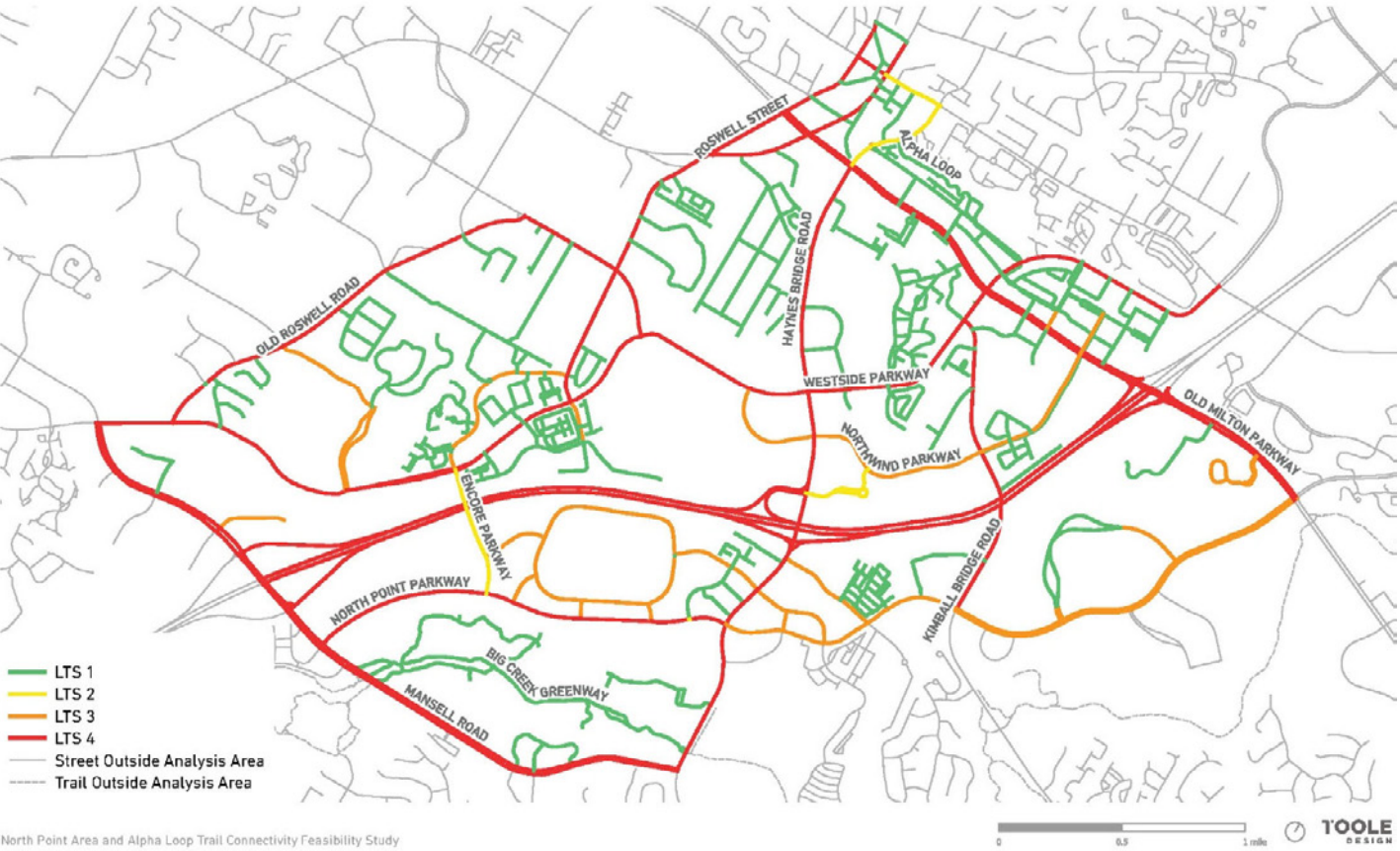
Criteria for determining LTS should be considered in the selection and design of future facilities to maximize comfort and safety and attract a wider range of cyclists and pedestrians. Throughout the analysis area, existing bike lanes are generally relatively narrow (around 4 feet wide) and do not have buffers or other separation from vehicular traffic. While these provide a designated place for cyclists, many interested but concerned riders do not find these conditions comfortable, sometimes resulting in a

higher LTS than if a bike lane at least 6 feet wide had been provided. In some cases, on-street bike lanes and shoulders stop short of intersections, forcing cyclists to mix with vehicular traffic and increasing their level of stress. As future on-street facilities are designed, wider lanes and buffers should be incorporated wherever feasible and treatments should extend through intersections.

Figure 2. Level of Traffic Stress Map

Level of Traffic Stress

DRAFT March 17, 2020



STREETS

The proposed Alpha Loop Extension will offer a safe route for pedestrians and cyclists moving between the northern part of the city toward the North Point Mall area. Success of the facility will be determined by its ability to connect safely and comfortably to other safe cycling and walking facilities, and community destinations. This section provides an overview of the characteristics of nearby streets that will interact with the extension that could as alternate routes and/or provide long-term safe connections to the proposed path. The maps on the following pages illustrate the road classifications, speed limits, number of lanes, bicycle facilities, medians, and existing sidewalks for streets within the analysis area.

The streets with the most direct relationships to the extension are discussed in greater detail below, including:

- Haynes Bridge Road
- Lake View Parkway/ North Winds Parkway
- Westside Parkway/Morrison Parkway
- Maxwell Road
- Fanfare Way
- Encore Parkway
- North Point Parkway
- Georgia 400

HAYNES BRIDGE ROAD

LTS 4 (Mansell Road to Old Milton Parkway) and LTS 2 (Old Milton Parkway to Academy Street)

Haynes Bridge Road is an arterial road with a typical right-of-way of approximately 150 feet. It has six total travel lanes along most of the corridor, with three travel lanes in each direction and a landscaped center median, as well as dedicated turn lanes approaching major intersections. Sidewalks are present on both sides of the road, with 8-foot sidewalks on the east side and 5-foot sidewalks on the west side. Although there is sufficient space to widen the sidewalk on the east side of the road, light poles and utility poles are located near the sidewalk and may complicate a potential sidewalk expansion. There are four-foot-wide, unbuffered, on-street bike lanes on both side of the street. The presence of bike lanes is inconsistent across the corridor, dropping off for several segments. There are no bike lane markings across intersections. There is only one curb cut on Haynes Bridge Road between the GA 400 ramp and the Lake View Parkway intersection, limiting potential conflict points for trail users.

There are two at-grade intersections where the Alpha Loop Extension could cross Haynes Bridge Road: the GA 400 ramp intersection and the intersection of Lake View Parkway.

GA 400 Ramp Intersection

The currently proposed Alpha Loop Extension route crosses Haynes Bridge Road on the north side of the intersection with the GA 400 entrance ramp. The pedestrian crossing distance at this intersection is approximately 105 feet from the eastern curb to the corner island to the west. There is also a 14-foot-wide continuous right turn lane onto the GA 400 ramp between the corner island and the sidewalk. A newly constructed, office-centered, mixed-use development east of Haynes Bridge Road called Summit Place has included on-street bicycle lanes throughout its road network, leading up to the intersection of Haynes Bridge Road and GA 400.

While a trail crossing at this point would link Summit Place to the proposed 360 Tech Village mixed-use community on the other side, the locations has potential drawbacks to user comfort and safety. The continuous right turn movement and relatively high speeds entering the highway create a conflict point and may feel intimidating to pedestrians and cyclists. The land on the west side of the intersection has a steep dropoff and would likely require a switchback or other design feature to gradually ramp down to ground level at a slope that meets Americans with Disabilities Act (ADA) requirements.



Existing crosswalk at the intersection of Haynes Bridge Road and the Georgia 400 ramp.

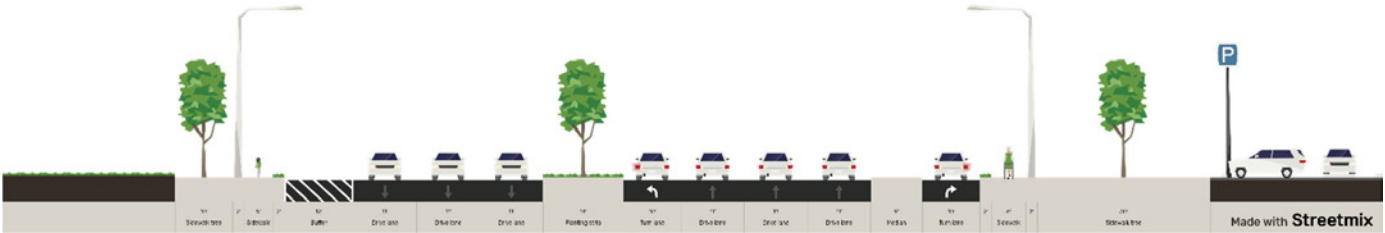
Lakeview Parkway/North Winds Parkway Intersection

Lake View Parkway/North Winds Parkway intersect Haynes Bridge Road approximately 940 feet north of the GA 400 intersection. The pedestrian crossing distance is approximately 110 feet from the corner island on the east to the curb on the west. A continuous right turn lane from Haynes Bridge Road onto Northwinds Parkway creates a potential conflict point between vehicles and trail users; however there are likely lower volumes of traffic traveling at a lower speeds here compared to the GA 400 ramp intersection. It should be considered as a potential alternative trail crossing to avoid the GA 400 ramp intersection. Given the switchback likely needed to address the steep topography on the west side of Haynes Bridge Road, relocating the route to this intersection would not cause an undue increase in trip length.

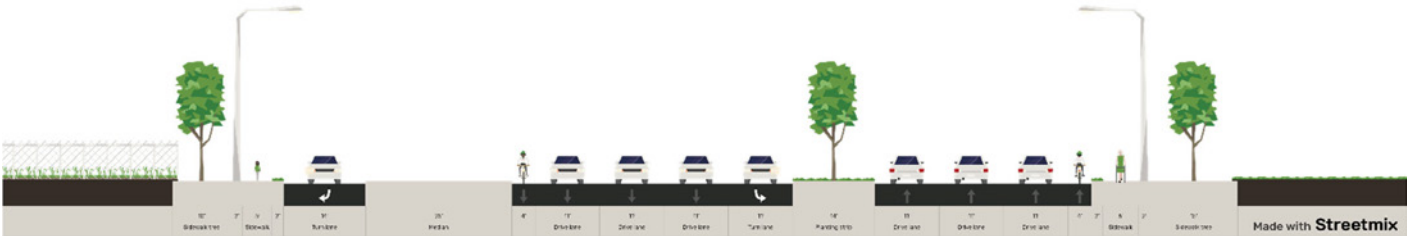


Existing crosswalk at the intersection of Haynes Bridge Road and the Georgia 400 ramp.

Haynes Bridge Road at Lakeview Parkway



Haynes Bridge Road at GA 400 Ramp



LAKEVIEW PARKWAY/NORTHWINDS PARKWAY

LTS 3 (Morrison Parkway to Kimball Bridge Road) and LTS 1 (Kimball Bridge Road to Old Milton Parkway)

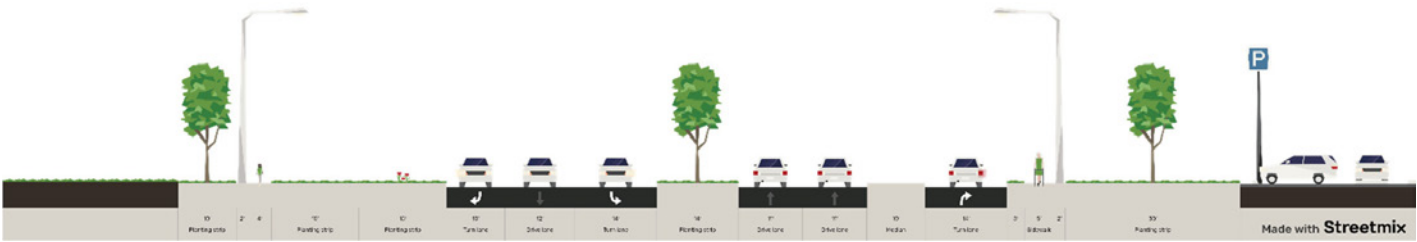
Lakeview Parkway/Northwinds Parkway is a collector road that connects Morrison Parkway to the main entrance of Avalon and Gwinnett Technical Collage at Old Milton Parkway. It has attracted multiple new office developments in recent years and will be the front door to the new 360 Tech Village development. Several large, developable parcels near Avalon will likely attract additional development to the corridor.

The section between Morrison Parkway and Kimball Bridge Road is generally a four-lane road with a landscaped center median and turn lanes approaching intersections. A former continuous right turn lane at Haynes Bridge Road has been filled in. There are mature trees planted next to a existing 5-foot sidewalks on both sides of the street for most of this section, which may limit or complicate potential sidewalk expansion. There are no existing bicycle facilities along this segment of the road.



North Winds Parkway east of Haynes Bridge Road

Lakeview Parkway at Haynes Bridge Road



At Kimball Bridge Road, the right-of-way widens to accommodate on-street, unbuffered bike lanes in both directions, wider sidewalk buffers, and wider sidewalks. A 10-foot-wide path has already been installed on the east side of the road from Kimball Bridge Road to Old Milton Parkway. The on-street bike lanes end at Kimball Bridge Road and are not included in the current intersection design. Because Kimball Bridge Road is a ridge line, there are steep sections on either side of the intersection, which may discourage some cyclists from using the route.



New multiuse path on North Winds Parkway approaching Avalon

North Wind Parkway at Kimball Bridge Road



WESTSIDE PARKWAY/MORRISON PARKWAY

(LTS 4)

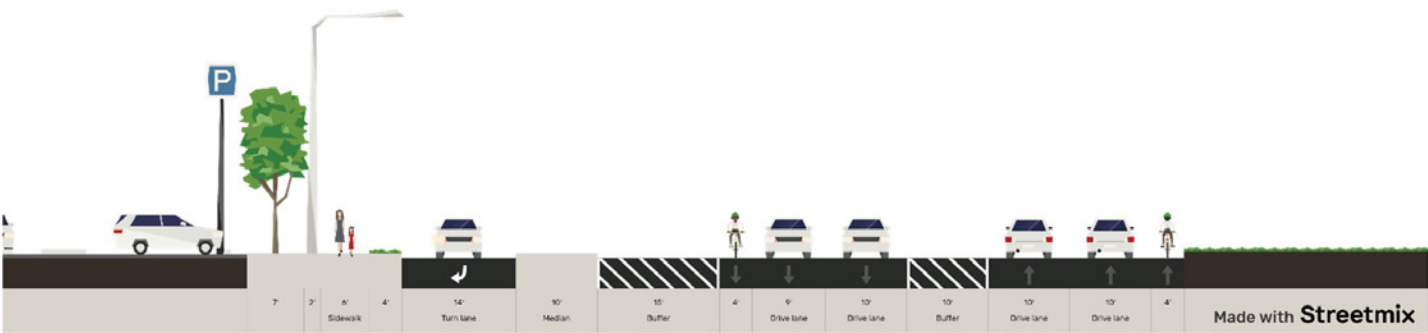
Westside Parkway/Morrison Parkway is an arterial road that runs loosely parallel to GA 400 throughout most of the City of Alpharetta, one of few routes to provide long-distance connectivity through the city. Within the area of interest, it is one of several routes to get from Avalon to the future BRT station at North Point Mall and could be considered as an alternate or supporting route to the currently proposed alignment through the wooded area north of GA 400.

There is no sidewalk on the north side of the street between Hembree Road and Haynes Bridge Road. Closer to Encore Parkway, from Maxwell Road to Arts Summit, berms and mature landscaping on the north side of the street limit the potential to easily widen sidewalks on that side. There is space to widen the sidewalk along most of the south side, though some street lights would have to be relocated.



Westside Parkway approaching Encore Parkway

Morrison Parkway at Lake View Parkway



MAXWELL ROAD

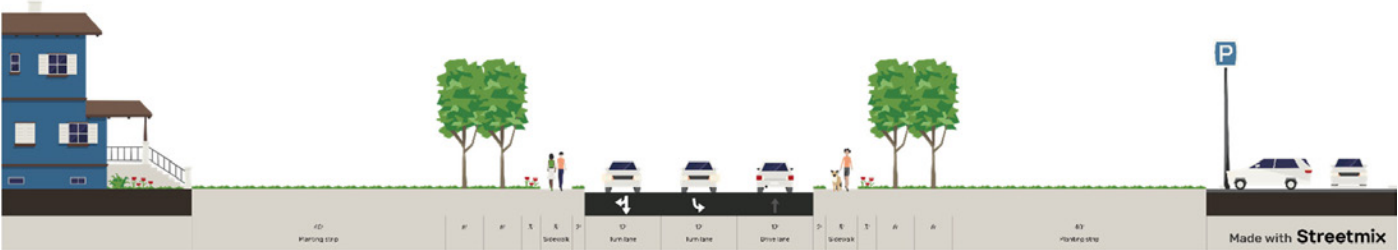
LTS 4 (South Main Street to Westside Parkway) and LTS 3 (Westside Parkway to Fanfare Way)

Maxwell Road is a local street connecting residences and Fulton County Science Academy to Westside Parkway. It is a three-lane road with 12-foot-wide lanes, no bicycle facilities, and 5-foot-wide sidewalks on both sides. Widening the sidewalk on the south side of the road to accommodate a shared-use path has few conflicts, with no curb cuts, utility poles, or street lights on this side of the street. A steep dropoff just behind the tree line on the north side of the road, as well as a fire hydrant, on the north side of the street would make it harder to accommodate a shared use path on that side.



Maxwell Road south of Westside Parkway

Maxwell Road at Westside Parkway



FANFARE WAY

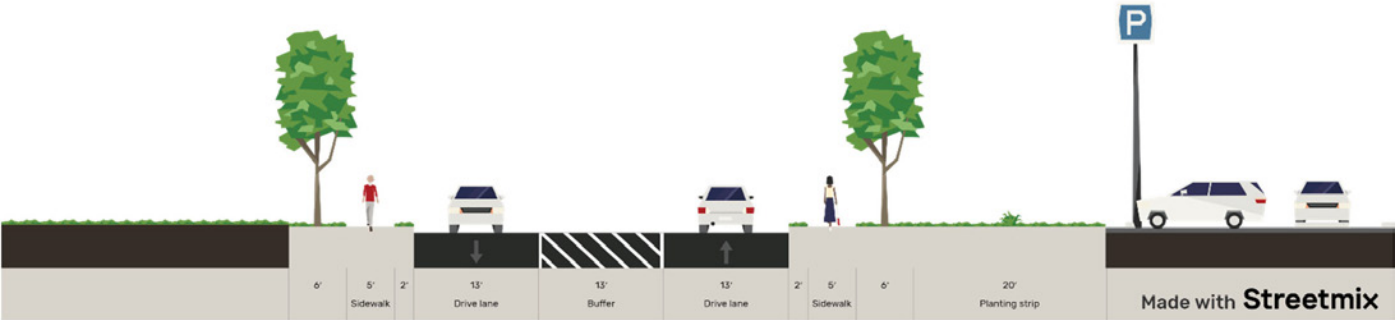
(LTS 3)

Fanfare Way is a local road running parallel to Westside Parkway from Fulton Science Academy to Encore Parkway. It has one travel lane in each direction with a center turn lane/buffer, no bicycle facilities, and 5-foot-wide sidewalks on both sides. Left turn movements from Fanfare Way onto Encore Parkway are restricted by a center median on Encore Parkway, which forces drivers to make a U-turn at Westside Parkway to turn left. A median refuge for cyclists may need to be considered if bicycle facilities were added to this road, as the U-turn movement for cyclists would be difficult.



Fanfare Road offers a relatively low stress alternative to Westside Parkway from Maxwell Road to Encore Parkway, but a raised median on Encore Parkway restricts left turns toward the North Point Mall area and Big Creek Greenway

Fanfare Way at Maxwell Road



ENCORE PARKWAY

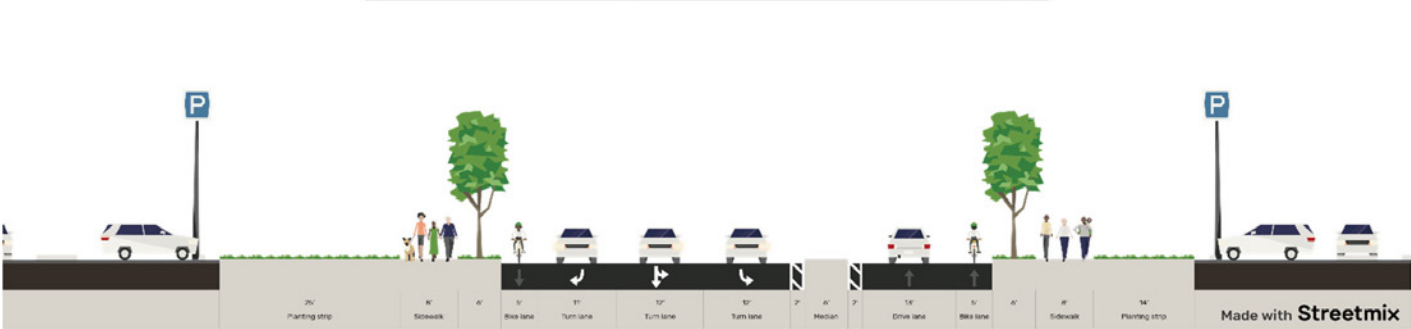
(LTS 2)

Encore Parkway is the southern connection across Georgia 400 within the study area. It is a newly constructed four-lane road with a planted median, on-street bike lanes, and 8-foot-wide sidewalks on both sides. The design is comfortable for pedestrians, with human scale lighting, landscaping, and hardscaping along the bridge. The existing bike lanes terminate at Westside Parkway to the north and North Point Parkway to the south.



Encore Parkway bridge with bike lane and separated sidewalk (left) and at grade with landscaped median and sidewalk buffer (right)

Encore Parkway at North Point Parkway



NORTH POINT PARKWAY

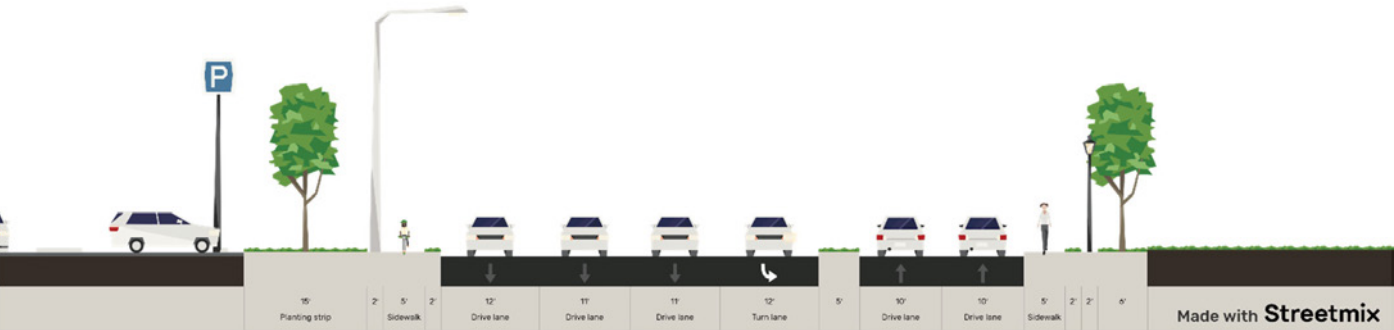
LTS 4 (Mansell Road to Haynes Bridge Road; Kimball Bridge Road to Old Milton Parkway) and LTS 3 (Haynes Bridge Road to Kimball Bridge Road)

North Point Parkway is a major collector that runs parallel to Georgia 400 on the south side of the highway from Mansell Road to Windward Parkway. It has five travel lanes, a center turn lane/median, no bicycle facilities, and 5-foot-wide sidewalks on both sides within the study area. An access point to Big Creek Greenway is located on the south side of North Point Parkway across from the North Point Mall. There is only one curb cut on the south side of North Point Parkway between Encore Parkway and the entrance to Big Creek Greenway. In some spots, there is a steep dropoff next to the existing sidewalk on the south side and street lights close to the sidewalk, which could present a challenge in widening it to accommodate a shared use path.



North Point Parkway at Encore Parkway

North Point Parkway at Encore Parkway



GEORGIA 400

LTS 4

Existing

Georgia 400 is a major highway that provides regional connections for Alpharetta, but creates a barrier between the north and south sides of the city. There are currently four travel lanes and a shoulder in each direction, a total of approximately 140 feet of pavement. There are wooded buffers on both sides of the highway, approximately 280 feet wide to the north and 210 feet wide to the south. Within the study area, Haynes Bridge Road and Encore Parkway are the only bridges across the highway.

Georgia 400 Express Lanes Project

A significant expansion of Georgia 400 is currently being designed, led by the Georgia Department of Transportation (GDOT) and the State Road and Tollway Authority (SRTA). The project is one of 11 Major Mobility Investment Program projects and will feature express lanes and Bus Rapid Transit (BRT). Construction is expected to begin in 2021. Figures 1 and 2 below illustrate the proposed configuration.

Express Lanes

The proposed design will add two buffer-separated lanes in each direction from the North Springs MARTA Station to McFarland Parkway, including the study area, and one buffer-separated express lane in each direction further north from McFarland Parkway to McGinnis Ferry Road. The new express lanes will have dynamic pricing. GDOT has identified an express lane access point north of the study area near Webb Bridge Road, which will tie into Westside Parkway to the west and Morris Road to the east. GDOT is not planning to add direct express lane access points at Haynes Bridge Road or Encore Parkway.

Bridges

The recently constructed Encore Parkway bridge was designed to be wide enough for the entire express lanes project to pass underneath the existing bridge. The Haynes Bridge Road bridge will be retained and have a partial ramp reconstruction to accommodate the new design.

Transit

A BRT system will run along the Georgia 400 corridor, providing high-capacity transit using the new express lanes. The minimum wait time between buses is expected to be 10 minutes. The lanes and stations will be located in the center of the corridor, with station access via pedestrian bridges. The North Point Mall area has been identified as a future station location, but an exact location has yet to be determined. The City of Alpharetta has requested an inline BRT station connecting to a parking deck at North Point Mall. The BRT line will connect to the existing MARTA rail line at the North Springs MARTA Station.



Georgia 400 southbound approaching Encore Parkway bridge

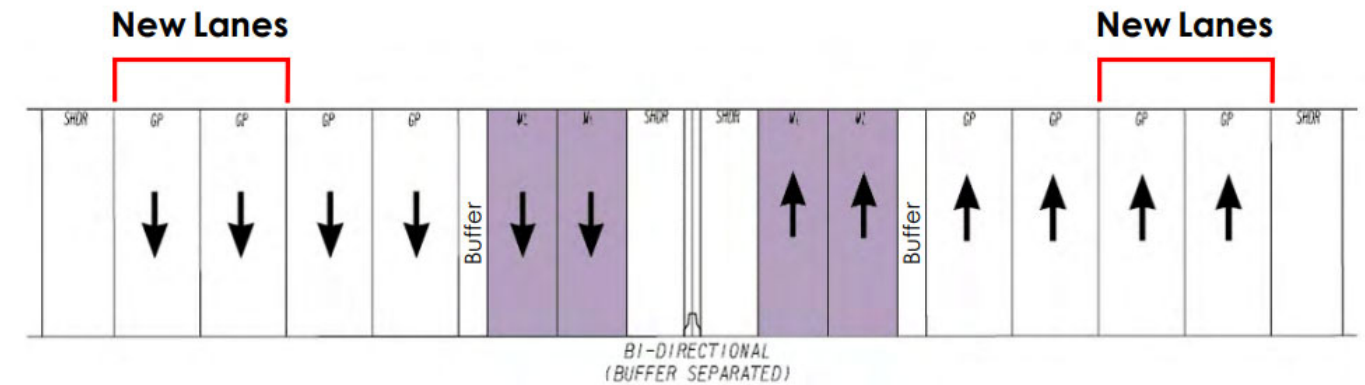


Figure 3. GA 400 Express Lanes Typical Section - Northridge Road to McGinnis Ferry Road (Source: GDOT)



Figure 2. Rendering of planned GA 400 expansion at Haynes Bridge Road looking south (Source: GDOT)



Alpha Loop - Haynes Bridge Road and Summit Place/GA400

This document is a summary of the at-grade trail crossing of the proposed Alpha Loop at Haynes Bridge Road and Summit Place. The design has evolved with additional information and GDOT coordination. This memo summarizes the opportunities and constraints for the design development and coordination in the next stage.

Design Layout

Toole Design developed an at-grade crossing for Haynes Bridge illustrated in **Figure 1** that featured a refuge island and based on the current configuration for the intersection and traffic analysis. The proposed trail crossing is on the north leg of the intersection and incorporates widened ramps and re-configured slip lane for increased safety and sight lines. The concept was based upon the existing lane arrangement and layout for the intersection.

Figure 2 shows the recently approved signal permit/plan for Haynes Bridge and the 400 SB ramps/Summit Place. The project adds additional turn lanes and changed signal phasing. The majority of the Haynes Bridge and Alpha Loop concept design was prepared prior to receiving the GDOT design. To make the Alpha Loop design work with the GDOT plan as currently configured, the refuge space was removed and illustrated in Figure 3. This is primarily due to the turning movements from the GA400 off-ramp and the proposed addition of a second left turn lane.



Figure 1: Snapshot of the Draft At-Grade Alpha Loop Crossing Concept

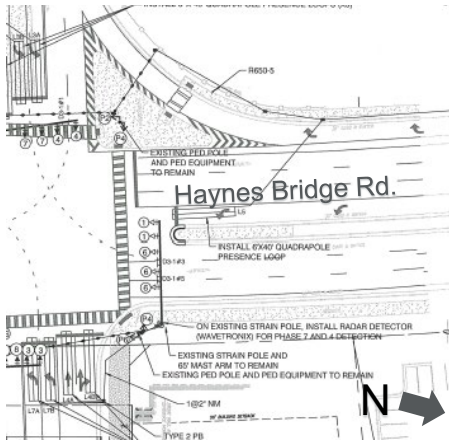


Figure 2: Proposed Signal Plan – GDOT

Figure 3: Aligned Alpha Loop Crossing Concept

Opportunities

The following is a list of design options to investigate and coordinate at the next design stage:

- Shifting trail crossing north to allow refuge island to be restored from preferred Alpha Loop crossing concept
 - Confirm turning movements and coordinate lane alignments with GDOT – this may mean coordination on which left turn lane trucks use through signage/enforcement
 - Layout new slip lane and island to accommodate this shifted crossing
 - Look into angling the trail crossing slightly
- Confirm signal phasing to optimize eastbound left turns from GA400 onto Haynes Bridge Rd
 - This will allow for no turns on red from Summit Place and reduce conflict to re-aligning the GA400 EBL turns into the two eastern lanes of Haynes Bridge
 - Look for opportunities to maximize safety and crossing times for trail users

Constraints

The following are constraints for re-introducing a refuge island for the trail crossing:

- Timing of GDOT construction or approvals for the existing design
- The proposed GDOT project removes the dedicated right turn from Summit Place to Haynes Bridge Road.
 - As a through and right-turn movement it could cause bike/vehicle conflicts as the movements aren't separated. This conflict could be an issue depending on the expected peak hour turns across the trail crossing.
- Crossing distances/clearance times
 - With new stop bar locations needed at a shifted trail crossing, the signal timing and clearance times would need to be re-evaluated.

Next Steps

In addition to evaluation of the described opportunities and constraints, we recommend the following next steps:

- Evaluate the proposed GDOT signal design/permit and look for opportunities to revise for the safety of all users

- Obtain the signal design project AutoCAD/MicroStation files to help explore any linework or design updates
- Coordinate with GDOT to confirm design/control vehicles for the turn onto Haynes Bridge Road
 - Prepare exhibits on proposed lane/extension lines to determine potential refuge location

Alpha Loop Crosswalk Markings

This document is a summary of the current best-practice guidance and review of the proposed crosswalk markings for the Alpha Loop Trail crossings in Alpharetta, GA. Given the early planning level stage, these recommendations should be re-evaluated at the implementation or detailed design phase.

Compliance and Guidance

The proposed crossing is intended to include a compliant pedestrian crosswalk with white transverse markings and a hi-visibility portion of crosswalk with continental markings (24" white with a spacing of 4-6' O.C. typ). The detectable warning surfaces shall extend the full width of the crosswalk. We recommend that yellow detectable warnings be used for the high-visibility side of the crossing and then green detectable warnings for the bike portion crossing to reinforce the intended users are different while still meeting the requirements of ADA.

Our guidance for the crossing is: as long as these red lines are painted as crosswalk lines, then anything between them may be interpreted as a decorative crosswalk. The white lines of the high visibility portion of the crosswalk may be painted as retroreflective markings because that is an allowable crosswalk treatment, but because the green isn't being installed in a manner that designates a bike-only lane, we would recommend that the green paint be non-retroreflective to comply with the FHWA guidance on decorative crosswalks.

Paint should not be used inside the refuge median – we propose meeting at least the minimum width for all refuge areas and including two sets of detectable warning. As illustrated in Figure 2, the key features of these crosswalks are the outside white transverse, hi-visibility section, and the non-retroreflective, decorative leaf markings.



Figure 1: Split Bike/Ped Crossing Detectable Warning



Figure 2: Proposed Alpha Loop Marking Style

Other recent urban trail crosswalk examples include:

- City of Charlotte - uses the FHWA approved green in between their typical high-visibility white ladder (piano style) crosswalk markings
- City of Houston – uses 24" continental crosswalk markings with 2'x2' elephant feet green markings outside
- City of Orlando – at trail crossings or certain neighborhoods, Duratherm colored or branded treatments are being used within the high-visibility ladder crosswalk markings. For the trail crossing we are designing, the Duratherm within the high-visibility crosswalk markings is bike-lane green.

The Houston and Charlotte crossing examples are closer to the FHWA ruling and guidance based on our interpretation while the Alpha Loop treatments of green will more of the decorative green treatment similar to the Orlando example.

Liability

If Toole Design was the Engineer-of-Record for the design of the crossings, we would evaluate each of the proposed striping designs on a case-by-case basis. This includes mural style crosswalks and various color styles. Oftentimes, the artistic mural style crosswalks are done in-house by cities and the liability rests with the interpretation of the implementing City. For murals and artistic style that vary from the accepted MUCTD and FHWA ruling color recommendations, it is sometimes preferred that the work be done in-house by a City after completion of the legal high-visibility or transverse crosswalk markings. Typically, a jurisdiction's engineering staff would collaborate with the legal team to reach a consensus or approach.

Funding

The design of these decorative style crosswalks is often dependent on the source of construction funding and the approval or review process for the funding agency. A State DOT or FHWA may not interpret these types of designs in the same way a City might or as described in the memo.

Disclaimer

Given the early nature of these crossing designs, we have the following disclaimer:

This is a preliminary document and concept design. All results, recommendations, cost opinions, and commentary contained herein are based on limited available data at the time of preparation. Further engineering analysis and design are necessary prior to implementing any of the recommendations contained herein. This document is an instrument of professional service. Reuse or alteration is at the user's sole risk

RESOLUTION NO.



**A RESOLUTION OF THE CITY COUNCIL OF ALPHARETTA,
GEORGIA TO ADOPT THE NORTH POINT AREA & ALPHA LOOP
TRAIL CONNECTIVITY FEASIBILITY STUDY**

WHEREAS, the North Point Activity Center Livable Centers Initiative (LCI) update was adopted by City Council in 2018, and

WHEREAS, the City was awarded \$150,000.00 in LCI grant funding by the Atlanta Regional Commission in 2019 to complete a Trail Connectivity Feasibility Study for the North Point Activity Center LCI, and

WHEREAS, the City Council awarded the North Point Area & Alpha Loop Trail Connectivity Feasibility Study to MKSK, and

WHEREAS, MKSK in conjunction the City Staff led the planning process for the North Point Area & Alpha Loop Trail Connectivity Feasibility Study, which included implementation of a public participation plan, and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Alpharetta hereby adopts the North Point Area & Alpha Loop Trail Connectivity Feasibility Study, attached as Exhibit A.

SO RESOLVED this 30th day of November, 2020.

CITY OF Alpharetta

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Attest:

City Clerk

Exhibit A:



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By: Kathi Cook

Sponsored By:

Meeting Date: November 30, 2020

**I. AGENDA ITEM TITLE: PH-20-16 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS –
STORMWATER AND FLOODPLAIN MANAGEMENT (2ND READING)**

CONSIDERATION OF TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE TO AMEND
REGULATIONS ASSOCIATED WITH STORMWATER AND FLOODPLAIN MANAGEMENT.

II. RECOMMENDATION:

Approve amendments to the Unified Development Code as it relates to Stormwater and Floodplain Management.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

IV. REPORT IN BRIEF:

Consideration of text amendments to the Unified Development Code (UDC), Article III, Subsections 3.3 and 3.4.

In 2001 the Georgia General Assembly created the Metropolitan North Georgia Water Planning District (MNGWPD) to develop comprehensive regional and watershed-specific water resource management plans to be implemented by local governments. In December 2019, the MNGWPD board approved new model stormwater management ordinances for compliance with the latest Georgia Environmental Protection Division (EPD) Municipal Separate Storm Sewer System (MS4) Permits. Local governments are required to adopt these changes by December 10, 2020.

Proposed amendments include:

- Reorganization of Section 3.3.1-3.3.14 to match the model ordinances provided by MNGWPD.
- Updated definitions.
- Renaming the Alpharetta Stormwater Management Manual to the Alpharetta Stormwater Policy Handbook.
- Regulations added to projects replacing 5,000 sf or more impervious (to meet state permit minimum standards).
- Exemption added for installation or modifications to existing structures for the purpose of providing ADA requirements.
- Reduction in number of design storms that must be studied for downstream analysis.
- Explanation of requirements for conceptual plan meeting, permit plan and study submittal, application

- process, and determination of infeasibility requests.
- Additional requirements for inspection and maintenance agreements and city response should an owner fail to maintain private stormwater management systems.
- Corrected typographic errors in current approved ordinances.

Because the revised sections of UDC are completely reorganized, the strike through / red line file is particularly difficult to follow. Therefore, attached for clarification and ease of review, please find a clean copy of the altered ordinances with state required additional text in green, city proposed additional or corrected text in blue, and items with no change beyond location within the ordinance in black. For use by Municode, strike through / red line copies of UDC Article III Section 3.3 and Section 3.4 are also attached.

V. ALTERNATIVES:

VI. ATTACHMENTS:

City Council Staff Report, Ordinance



CITY COUNCIL MEETING

STAFF REPORT

Submitting Department: Community Development
Submitted By: Kathi Cook
Sponsored By: Jill Bazinet

I. AGENDA ITEM TITLE: PH-20-16 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS -
STORMWATER MANAGEMENT, FLOODPLAIN MANAGEMENT.

CITY COUNCIL: NOVEMBER 16, 2020

This item was heard at the 11/5/2020 Planning Commission meeting. Staff recommended approval. There were no public comments. After discussion, Planning Commission recommended approval. Vote 7-0

II. RECOMMENDATION:

Approve amendments to the Unified Development Code as it relates to Stormwater and Floodplain Management.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

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V. ALTERNATIVES:

VI. ATTACHMENTS:

SECTION 3.3 and 3.4 Stormwater and Floodplain Management	Revisions,
SECTION_3.3___STORMWATER_MANAGEMENT	Redline,
SECTION_3.4_FLOODPLAIN_MANAGEMENT	Redline

AN ORDINANCE TO AMEND ARTICLE III SECTION 3.3 AND 3.4 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA GEORGIA; TO MODIFY SECTIONS NUMBERS 3.3.1 – 3.3.9; TO REMOVE SECTIONS 3.3.10-3.3.14; TO MODIFY TEXT IN SECTION 3.3.1-3.3.9; TO MODIFY TEXT IN SECTION 3.4; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, on or about May 21, 2001, the City of Alpharetta (the “City”) adopted a comprehensive zoning ordinance known and cited as the Unified Development Code of the City of Alpharetta, Georgia, which has subsequently been amended from time to time (the “Unified Development Code”); and

WHEREAS, the Mayor and Council of the City of Alpharetta (the “City Council” or “Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta; and

WHEREAS, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make said Codes more responsive to community needs; and

WHEREAS, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City’s operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta; and

WHEREAS, the City Council desires to amend Article III Sections 3.3 and 3.4 of the Unified Development Code for the foregoing purposes; and

WHEREAS, the City Council finds that the following amendments to the Unified Development Code promote the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta;

NOW THEREFORE, The Council of the City of Alpharetta hereby ordains, as follows:

Section 1: Section 3.3.1 Post-Construction Stormwater management for New Development and Redevelopment Renamed, added additional purpose and intent language, and added / updated definitions as required to match the model ordinance of the Metropolitan North Georgia Water Planning District, Army Corps of Engineers, and Georgia EPD. Renamed the City’s stormwater management manual supplement the Alpharetta Stormwater Policy Handbook.

Section 2: Section 3.3.1C Adoption and Implementation of the GSMM; Conflicts and Inconsistencies Renamed the City’s stormwater management manual supplement the Alpharetta Stormwater Policy Handbook. Added resolution should conflicting information be provided between this article, the city’s MS4 permit, and the Georgia Stormwater Management Manual.

Section 3: Section 3.3.1D Designation of Administrator

Section 4: **Section 3.3.1F Exemptions from Stormwater Management Standards of Section 3.3.1** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 5: **Section 3.3.1G Stormwater Management Standards.** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District. Downstream analysis in section 3.3.1G(h) updated to clarify city requirements and reduce total number of storms to be studied.

Section 6: **Section 3.3.1H Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management Plan Requirements** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 7: **Section 3.3.1I Application Fee** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 8: **Section 3.3.1J Application Procedures** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 9: **Section 3.3.1K Compliance with the Approved Stormwater Management Plan** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 10: **Section 3.3.1L Inspections to Ensure Plan Compliance During Construction** Text added to allow electronic submission of plans and reports.

Section 11: **Section 3.3.1M Final Inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 12: **Section 3.3.1N Violations and Enforcement** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 13: **Section 3.3.1O Maintenance by Owner of Stormwater Management Systems Predating Current GSMM** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 14: **Section 3.3.1P Inspection and Maintenance Agreements** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 15: **Section 3.3.1Q Right of Entry for Maintenance Inspections** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 16: **Section 3.3.1R Owner's Failure to Maintain the Stormwater Management System** Text updated to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 17: **Section 3.3.1S Maintenance Responsibilities** Text added to clarify responsibilities in neighborhoods and to allow flexibility to easement restrictions on specific drainage easements.

Section 18: **Section 3.3.1T(f) Special Operations and Maintenance Agreement for Homeowners' Associations and Other Associations** Text added request developers to set aside money for future private stormwater infrastructure maintenance costs.

Section 19: **Section 3.3.2 Stream Buffer Protection** Update section number. Update definitions per the model ordinance of the Metropolitan North Georgia Water Planning District, clarify the greenway exemption, and renumber items.

Section 20: **Section 3.3.3 Wetlands** Update section number. Update definitions per the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 21: **Section 3.3.4 Illicit Discharge and Illegal Connection** Update Section number. Update Applicability per the model ordinance of the Metropolitan North Georgia Water Planning District and renumber items.

Section 22: **Section 3.3.5 Conservation Subdivision** Update section number. Update Yield Plan requirements per the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 23: **Section 3.3.6 Water Supply Watershed Protection** Update section number. Update definitions per the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 24: **Section 3.3.7 Groundwater recharge areas.** Update section number.

Section 25: **Section 3.3.8 Variances from requirements.** Update section number. Update applicability sections for clarification.

Section 26: **Section 3.3.9 Violations, enforcement and penalties.** Update section number and section number references. Clarify appeal and penalty procedure to match the model ordinance of the Metropolitan North Georgia Water Planning District.

Section 27: **Removal of Section 3.3.10-3.3.14** These sections have been incorporated into 3.3.1-3.3.9.

Section 28: **Section 3.4** Added a definition of North American Vertical Datum, fixed a typographical error in the Substantial Damage definition, fixed a typographical error in 3.4.3C, removed reference to city engineer (replaced with 'city') to align with other ordinances in the UDC, and fixed a typographical error in 3.4.5A 12.

Section 29: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 30: This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED this the _____ day of _____, 2020.

Approved:

Jim Gilvin, Mayor

Attest:

COUNCILMEMBERS

Erin Cobb, City Clerk
(Seal)

Approved as to Form:

C. Sam Thomas, City Attorney

EXHIBIT “A”

Green text – changes from state

Blue text – city changes

Section 3.3 – Stormwater Management

Section 3.3.1 Post-Construction Stormwater Management for New Development and Redevelopment.

A. Purpose and Intent. The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-construction stormwater runoff and nonpoint source pollution associated with new development and redevelopment. Proper management of post- construction stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. Additionally, the city is required to comply with several State and Federal laws, regulations, and permits and the requirements of the Metropolitan North Georgia Water Planning District's regional water plan related to managing the water quantity, velocity, and quality of post- construction stormwater runoff.

B. Definitions. For this Article, the terms below shall have the following meanings:

Administrator. The person appointed to administer and implement this Section on Post-Construction Stormwater Management for New Development and Redevelopment in accordance with Section 3.3.1.

Agricultural use. The establishment, cultivation, or harvesting of products of the field or orchard; the preparation and planting of pasture land' farm ponds; and the construction of farm buildings.

Applicant. A person submitting a land development application for approval.

ASPH. The latest edition of the Alpharetta Stormwater Policy Handbook and all its appendices.

BMP or best management practice. Both structural devices to store or treat stormwater runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the State of Georgia.

BMP landscaping plan. A design for vegetation and landscaping that is critical to the performance and function of the BMP including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

Channel. A natural or artificial watercourse with a definite bed and banks that conveys continuously or periodically flowing water.

Conservation Easement. An agreement between a land owner and the City of Alpharetta or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place but continues to leave the remainder of the fee interest in private ownership.

Detention. The temporary storage of stormwater runoff in a stormwater detention facility for the purpose of controlling the peak discharge.

Detention Facility. A structure designed for the storage and gradual release of stormwater runoff at controlled rates.

Developer. A person who undertakes land development activities.

Development. New development or redevelopment.

Drainage Easement. An easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Extended Detention. The storage of stormwater runoff for an extended period of time.

Extreme Flood Protection. Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Flooding. A volume of surface water that exceeds the banks or walls of a BMP or channel and overflows onto adjacent lands.

GSMM. The latest edition of the Georgia Stormwater Management Manual, Volume 2: Technical Handbook, and its Appendices.

Hotspot. A land use or activity on a site that has the potential to produce higher than normally found levels of pollutants in stormwater runoff. As defined by the administrator, hotspot land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities (both permitted under the Industrial Stormwater General Permit and others), material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

Hydrologic Soils Group (HSG). A Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce more runoff.

Impervious Surface. A surface composed of any material that significantly impedes or prevents the natural infiltration of water into the soil. Pervious paving and green roof are not considered impervious only if they have a stormwater design and inspection and maintenance plan.

Industrial Stormwater General Permit. The National Pollutant Discharge Elimination System (NPDES) permit issued by Georgia Environmental Protection Division to an industry for stormwater discharges associated with industrial activity. The permit regulates pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies based on Standard Industrial Classification (SIC) Code.

Infiltration. The process of percolating stormwater runoff into the subsoil.

Inspection and Maintenance Agreement. A written agreement providing for the long-term inspection, operation, and maintenance of the stormwater management system and its components on a site.

Jurisdictional Wetlands. Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Land Development. Any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

Land Development Activities. Those actions or activities which comprise, facilitate or result in land disturbance.

Land Development Application. The application for a land development permit on a form provided by the city along with the supporting documentation required in Section 3.3.1J.

Land Development Permit. The authorization necessary to begin construction-related,

land-disturbing activity

Land Disturbing Activity. Any activity which may result in soil erosion from water or wind and the movement of sediments into state water or onto lands within the state, including but not limited to clearing, dredging, grading, excavating, and filling of land. Land disturbing activity does not include agricultural practices as described O.C.G.A. 12-7-17(5) or silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities.

Linear Feasibility Program. A feasibility program developed by the city and submitted to the Georgia Environmental Protection Division, which sets reasonable criteria for determining when implementation of stormwater management standards for linear transportation projects being constructed by the city is infeasible.

Linear Transportation Projects. Construction projects on traveled ways including but not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

Maintenance. Any action necessary to preserve stormwater management facilities or structures and pipes or ditches in proper working condition, in order to serve the intended purpose, set forth in this Ordinance and to prevent structural failure of such facilities.

MS4 Permit. The NPDES permit issued by Georgia Environmental Protection Division for discharges from the city's municipal separate storm sewer system.

New Development. Land disturbing activities, structural development (construction, installation, or expansion of a building or other structure), and/or creation of impervious surfaces on a previously undeveloped site.

Nonpoint Source Pollution. A form of water pollution that does not originate from a discrete point such as a wastewater treatment facility or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water or groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Non-Structural Stormwater Management Practice. Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

Off-Site Facility. A stormwater management facility located outside the boundaries of the site.

On-Site Facility. A stormwater management facility located within the boundaries of the site.

Overbank Flood Protection. Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain).

Owner. The legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm, or corporation in control of the site.

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Post-construction Stormwater Management. Stormwater best management practices that are used on a permanent basis to control and treat runoff once construction has been completed in accordance with a stormwater management plan.

Post-development. The conditions anticipated to exist **on site immediately** after completion of the **proposed** development.

Practicability Policy. The policy outlined in the Alpharetta Stormwater Policy Handbook.

Pre-development. The conditions that exist on a site **immediately before the implementation of the proposed development**. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time before the first item being approved or permitted shall establish pre-development conditions.

Pre-development Hydrology. Is (a) for new development, the runoff curve number determined using natural conditions hydrologic analysis based on the natural, undisturbed condition of the site immediately before implementation of the proposed development; and (b) for redevelopment, the existing conditions hydrograph may take into account the existing development when defining the runoff curve number and calculating existing runoff, unless the existing development causes a negative impact on downstream property as defined by the city.

Previously Developed Site. A site that has been altered by paving, construction, and/or land disturbing activity.

Private. Property or facilities owned by individuals, corporations, and other organizations and not by the city, state, or federal government.

Project. A land development project.

Redevelopment. Structural development (construction, installation, or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious surfaces not as part of routine maintenance, and land disturbing activities associated with structural or impervious development on a previously developed site. Redevelopment does not include such activities as exterior remodeling where footprint is unaltered.

Regional Stormwater Management Facility. Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Routine Maintenance. Activities to keep an impervious surface as near as possible to its constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Runoff. Stormwater runoff.

Runoff Reduction Measures. Preservation of an area's landscape features (vegetation, soils, and natural processes) that help manage and reduce stormwater runoff from a development or redevelopment site. Runoff reduction measures also include structurally engineered practices (such as bioretention areas, bioswales, pervious paving, greenroofs, greenwalls, stormwater street trees, and cisterns) that mimic natural processes to manage stormwater as close to its source as possible and reduce stormwater runoff from the site. In addition to stormwater management, runoff reduction measures can enhance site aesthetics, improve water quality, reduce urban heat island impacts, provide shading, create wildlife habitat, reduce energy consumption, reduce infrastructure costs, and increase property values. Above ground cisterns require architectural and / or landscape screening that compliments the architecture of the building and is of like or similar materials used in the building's construction. Location of cisterns and other vertical runoff reduction measures and their screening shall require approval by the Community Development Department.

Site. An area of land where development is planned, which may include all or portions

of one or more parcels of land. For subdivisions and other common plans of development, the site includes all areas of land covered under an applicable land development permit.

Stormwater Better Site Design. Nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

Stormwater Concept Plan. An initial plan for post-construction stormwater management at the site that provides the groundwork for the stormwater management plan including the natural resources inventory, site layout concept, initial runoff characterization, and first round stormwater management system design.

Stormwater Management Plan. A plan for post-construction stormwater management at the site that meets the requirements of Section 3.3.1H and is included as part of the land development application.

Stormwater Management Standards. Those standards set forth in Section 3.3.1G.

Stormwater Management System. The entire set of non-structural site design features and structural BMPs for collection, conveyance, storage, infiltration, treatment, and disposal of stormwater runoff in a manner designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater Retrofit. A stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the current stormwater management requirements of the site.

Stormwater Runoff. Flow on the surface of the ground, resulting from precipitation.

Subdivision. The division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Other terms used but not defined in this Article shall be interpreted based on how such terms are defined and used in the GSMM, the ASPH, and the city's MS4 permit.

C. Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.

- (a) In implementing this Article, Alpharetta shall use and require compliance with

all relevant design standards, calculations, formulas, methods, and standards from the latest edition of the GSMM (including all related appendices) and the Alpharetta Stormwater Policy Handbook (ASPH). The ASPH provides specific design requirements of the city and clarifies guidance language provided in the GSMM. This policy handbook may be updated and expanded periodically, based on improvements in science, engineering, monitoring, and local maintenance experience. However, failure to update the policy handbook shall not relieve any applicant from the obligation to comply with the requirements of this ordinance and shall not prevent the city from imposing the most current and effective practices. The policy handbook may establish design standards for new development and redevelopment that includes the creation of less than 5,000 square feet of impervious cover or involves land development activity of less than one (1) acre.

(b) This Article or Section is not intended to modify or repeal any other Article, Section, ordinance, rule, regulation or other provision of law, including but not limited to any applicable stream buffers under state and local laws, and the Georgia Safe Dams Act and Rules for Dam Safety. In the event of any conflict or inconsistency between any provision in the city's MS4 permit and this Article, the provision from the MS4 permit shall control. In the event of any conflict or inconsistency between any provision of this Article and the GSMM, the provision from this Article shall control. In the event of any other conflict or inconsistency between any provision of this Article or Section and any other ordinance, rule, regulation or other provision of law, the provision that is more restrictive or imposes higher protective standards for human health or the environment shall control.

(c) If any provision of this Article or Section is invalidated by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Article or Section.

D. Designation of Administrator. The Mayor may from time to time appoint someone to administer and implement this Section. Directors of Community Development and Public Works and their designees are appointed to administer and implement the provisions of this ordinance.

E. Applicability Criteria for Stormwater Management Standards. This Section applies to the following activities:

(a) New development that creates or adds 1,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 1 acre of land or more;

(b) Redevelopment (excluding routine maintenance and exterior remodeling) that creates or adds 1,000 square feet or greater; or redevelopment (excluding routine maintenance and exterior remodeling) that replaces 5,000 square feet or greater of new impervious surface area; or redevelopment that involves land disturbing activity of 1 acre or more;

- (c) New development and redevelopment if
 - (i) such new development or redevelopment is part of a subdivision or other common plan of development, and
 - (ii) the sum of all associated impervious surface area or land disturbing activities that are being developed as part of such subdivision or other common plan of development meets or exceeds the threshold in (a) and (b) above;
- (d) Any commercial or industrial new development or redevelopment, regardless of size, that is a hotspot land use as defined in this Article; and
- (e) Linear transportation projects that exceed the threshold in (a) or (b) above.

F. Exemptions from Stormwater Management Standards of Section 3.3.1. This Section does not apply to the following activities:

- (a) Land disturbing activity conducted by local, state, authority, or federal agencies, solely to respond to an emergency need to protect life, limb, or property or conduct emergency repairs;
- (b) Land disturbing activity that consists solely of cutting a trench for utility work and related pavement replacement (this exemption does not negate the requirement to obtain utility encroachments permits from the city nor does it negate the requirement to get utility locates);
- (c) Land disturbing activity conducted by local, state, authority, or federal agencies, whose sole purpose is to implement stormwater management or environmental restoration;
- (d) Repairs to any stormwater management system deemed necessary by the administrator;
- (e) Agricultural practices as described O.C.G.A. 12-7-17(5) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in 3.3.1E a and b;
- (f) Silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in 3.3.1E a and b;
- (g) Installations or modifications to existing structures solely to implement Americans with Disabilities Act (ADA) requirements, including but not limited to elevator shafts, handicapped access ramps and parking, and enlarged entrances or exits; and

(h) Linear transportation projects being constructed by the city to the extent the administrator determines that the stormwater management standards may be infeasible to apply, all or in part, for any portion of the linear transportation project. For this exemption to apply, an infeasibility report that is compliant with the city linear feasibility program shall first be submitted to the administrator that contains adequate documentation to support the evaluation for the applicable portion(s) and any resulting infeasibility determination, if any, by the administrator.

G. Stormwater Management Standards. Subject to the applicability criteria in 3.3.1 E and exemptions in 3.3.1 F, the following stormwater management standards apply. Additional details for each standard can be found in the GSMM Section 2.2.2.2:

(a) Design of Stormwater Management System: The design of the stormwater management system shall be in accordance with the applicable sections of the GSMM and ASPH as directed by the administrator. Any design which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

(b) Natural Resources Inventory: Site reconnaissance and surveying techniques shall be used to complete a thorough assessment of existing natural resources, both terrestrial and aquatic, found on the site. Resources to be identified, mapped, and shown on the Stormwater Management Plan, shall include, at a minimum (as applicable):

- (i) Topography (minimum of 2-foot contours) and Steep Slopes (i.e., Areas with Slopes Greater Than 15%),
- (ii) Natural Drainage Divides and Patterns,
- (iii) Natural Drainage Features (e.g., swales, basins, depressional areas),
- (iv) Natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers, drinking water wellhead protection areas and river corridors,
- (v) Predominant soils (including erodible soils and karst areas), and
- (vi) Existing predominant vegetation including trees, high quality habitat and other existing vegetation.

(c) Better Site Design Practices for Stormwater Management: Stormwater management plans shall preserve the natural drainage and natural treatment systems and reduce the generation of additional stormwater runoff and pollutants to the maximum extent practicable. Additional details can be found in the GSMM Section 2.3.

(d) Stormwater Runoff Quality/Reduction: Stormwater Runoff Quality/Reduction shall be provided by using the following:

- (i) For development with a stormwater management plan submitted before February 2, 2017, the applicant may choose either (A) Runoff Reduction or (B) Water Quality.

(ii) For development with a stormwater management plan submitted on or after February 2, 2017, the applicant shall choose (A) Runoff Reduction and additional water quality shall not be required. To the extent (A) Runoff Reduction has been determined to be infeasible for all or a portion of the site using the Practicability Policy, then (B) Water Quality shall apply for the remaining runoff from a 1.2-inch rainfall event and must be treated to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM.

(A) Runoff Reduction - The stormwater management system shall be designed to retain the first 1.0-inch of rainfall on the site using runoff reduction methods, to the maximum extent practicable.

(B) Water Quality – The stormwater management system shall be designed to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM for runoff from a 1.2-inch rainfall event.

(iii) If a site is determined to be a hotspot as detailed in 3.3.1 E, the city may require the use of specific or additional components for the stormwater management system to address pollutants of concern generated by that site.

(e) Stream Channel Protection: Stream channel protection shall be provided by using all of the following three approaches:

(i) 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event;

(ii) Erosion prevention measures, such as energy dissipation and velocity control; and

(iii) Preservation of any applicable stream buffer.

(iv) Channel Protection may be adjusted or waived by the city for sites that discharge directly into larger streams, rivers, wetlands, or lakes, or to a man-made channel or conveyance system where the reduction in these flows will not have impact on upstream or downstream streambank or channel integrity.

(f) Overbank Flood Protection: Downstream overbank flood protection shall be provided by controlling the post-development peak discharge rate to the pre-development rate for the 2, 10, and 25-year, 24-hour storm events. Overbank Flood Protection may be adjusted or waived by the city for sites where the post-development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak

flow downstream impacts than the uncontrolled post-development conditions.

(g) Extreme Flood Protection: Extreme flood protection shall be provided by controlling and safely conveying the 100-year, 24-hour storm event such that flooding is not exacerbated. Extreme Flooding Protection may be adjusted or waived by the city for sites where the post development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.

(h) Downstream Analysis: Due to peak flow timing and runoff volume effects, some structural components of the stormwater management system fail to reduce discharge peaks to pre-development levels downstream from the site. A downstream peak flow analysis shall be provided to the point in the watershed downstream of the site or the stormwater management system where the area of the site comprises 10% of the total drainage area in accordance with [Section 3.1.9 of the GSMM](#). This is to help ensure that there are minimal downstream impacts from development on the site. The downstream analysis may result in the need to resize structural components of the stormwater management system. [Analysis should include evaluation of 2, 25, and 100-year, 24-hour storm events at each possible “choke point” between the site and the 10% point. This should include, but is not limited to culverts, pipes, and stream confluences. Post-development flow rates should not increase from pre-development rates except in those situations where the city has approved waivers of Overbank or Extreme Flood Protection in order to protect downstream peak flows.](#)

(i) Stormwater Management System Inspection and Maintenance: The components of the stormwater management system that will not be dedicated to and accepted by the city, including all drainage facilities, best management practices, credited conservation spaces, and conveyance systems, shall have an inspection and maintenance agreement to ensure that they continue to function as designed. All new development and redevelopment sites are to prepare a comprehensive inspection and maintenance agreement for the on-site stormwater management system. This plan shall be written in accordance with the requirements in [Section 3.3.1 P, S, and T](#).

(j) Structural Stormwater Controls: All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the GSMM and the additional requirements of the [Alpharetta Stormwater Policy Handbook](#). All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the GSMM, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the city before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the city may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to

increased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollution loads created on the site in question. Applicants shall consult the GSMM for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

(k) Stormwater Credits for Nonstructural Measures: The use of one or more site design measures by the applicant may allow for a reduction in the runoff reduction volume or water quality treatment volume required under Section 3.3.1G d. The applicant may, if approved by the city, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the GSMM. [To receive credit a conservation easement may be required by the city.](#)

(l) Drainage System Guidelines: Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutters, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public right-of-way and private properties adjoining project sites and/or public rights-of-way. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:

1. Methods to calculate stormwater flows shall be in accordance with the GSMM and the ASPH.
2. All culverts, pipe systems and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the GSMM and the ASPH.
3. Design and construction of stormwater conveyance systems shall be in accordance with the criteria and specifications found in the GSMM, the ASPH, and Alpharetta's standard details.

(m) Dam Design Guidelines: Any land-disturbing activity that involves a site which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable [and requirements outlined in the ASPH.](#)

H. Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management Plan Requirements.

(a) Before a land development permit application is submitted, an applicant [shall request a pre-submittal meeting with the city. The pre-submittal meeting is required prior to submittal for a Land Disturbance Permit.](#) The purpose of the pre-submittal meeting is to discuss opportunities, constraints, and ideas for the stormwater management system

before formal site design engineering. To the extent applicable, local and regional watershed plans, greenspace plans, trails and greenway plans, and other resource protection plans should be consulted in the pre-submittal meeting. Applicants must request a pre-submittal meeting with the city when applying for a Determination of Infeasibility through the Practicability Policy.

(b) The stormwater concept plan shall be prepared using the minimum following steps:

(i) Develop the site layout using better site design techniques, as applicable (GSMM Section 2.3).

(ii) Calculate preliminary estimates of the unified stormwater sizing criteria requirements for stormwater runoff quality/reduction, channel protection, overbank flooding protection and extreme flood protection (GSMM Section 2.2).

(iii) Perform screening and preliminary selection of appropriate best management practices and identification of potential siting locations (GSMM Section 4.1).

(c) The stormwater concept plan shall contain:

(i) Common address and legal description of the site,

(ii) Vicinity map, and

(iii) Existing conditions and proposed site layout mapping and plans (recommended scale of 1" = 50'), which illustrate at a minimum:

(A) Existing and proposed topography (minimum of 2-foot contours),

(B) Perennial and intermittent streams,

(C) Mapping of predominant soils from USDA soil surveys,

(D) Boundaries of existing predominant vegetation and proposed limits of clearing and grading,

(E) Location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers, specimen trees, and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.),

(F) Location of existing and proposed roads, buildings, parking areas and other impervious surfaces,

(G) Existing and proposed utilities (e.g., water, sewer, gas, electric) and

easements,

(H) Preliminary estimates of unified stormwater sizing criteria requirements,

(I) Preliminary selection and location, size, and limits of disturbance of proposed BMPs,

(J) Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains,

(K) Flow paths,

(L) Location of the boundaries of the base flood floodplain, future-conditions floodplain, and the floodway (as applicable) and relationship of site to upstream and downstream properties and drainage, and

(M) Preliminary location and dimensions of proposed channel modifications, such as bridge or culvert crossings.

(N) Documentation if requesting determination of infeasibility for runoff reduction.

(d) The stormwater management plan shall contain the items listed in this part and be prepared under the direct supervisory control of either a registered Professional Engineer or a registered Landscape Architect licensed in the state of Georgia. Items (iii), (iv), (v), and (vi) shall be sealed and signed by a registered Professional Engineer licensed in the state of Georgia. The overall site plan must be stamped by a design professional licensed in the State of Georgia for such purpose. (GSMM Section 2.4.2.7) The stormwater management plan must ensure that the requirements and criteria in this ordinance are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include the information required in the Stormwater Management Site Plan checklist found in the ASPH. The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility. A stormwater management plan must be submitted to the city which shows the adequacy of the off-site or regional facility. To be eligible for modification, the applicant must demonstrate

to the satisfaction of the city that the use of the off-site or regional facility will not result in the following impacts to upstream or downstream areas: a. increased threat of flood damage to public health, life, and property; b. deterioration of existing culverts, bridges, dams, and other structures; c. accelerated streambank or streambed erosion or siltation; d. degradation of in-stream biological functions or habitat; or e. water quality impairment in violation of state water quality standards, and/or violation of any state or federal regulations.

- (i) Natural Resources Inventory
- (ii) Stormwater Concept Plan
- (iii) Existing Conditions Hydrologic Analysis
- (iv) Post-Development Hydrologic Analysis
- (v) Stormwater Management System
- (vi) Downstream Analysis
- (vii) Erosion and Sedimentation Control Plan
- (viii) BMP Landscaping Plan
- (ix) Inspection and Maintenance Agreement
- (x) Evidence of Acquisition of Applicable Local and Non-Local Permits
- (xi) Determination of Infeasibility (if applicable)
- (xii) Operations and Maintenance Plan
- (xiii) Maintenance Access Easements

(e) For redevelopment and to the extent existing stormwater management structures are being used to meet stormwater management standards the following must also be included in the stormwater management plan for existing stormwater management structures

- (i) As-built Drawings
- (ii) Hydrology Reports
- (iii) Current inspection of existing stormwater management structures with deficiencies noted
- (iv) BMP Landscaping Plans

(f) Deed Recordation and Indications on Plat. The approval of the permit shall require an enforceable restriction on property usage that runs with the land, such as plat, easements, recorded deed restrictions or protective covenants, to ensure that future development and redevelopment maintains the site consistent with the approved project plans. The location of all designated natural area or Conservation Easements for a site

shall be recorded at the County Register of Deeds Office as “undisturbed natural area”. Designated protected stream buffer boundaries must be specified on all surveys and recorded plats. The applicable maintenance agreement pertaining to every structural BMP shall be referenced on the final plat and shall be recorded with the County Register of Deeds Office upon final plat approval and shall be provided to the city within 14 days following receipt of the recorded document.

(g) Fee-In-Lieu. The purpose of the fee-in-lieu program is to allow parcels being redeveloped to reduce on-site stormwater management requirements by paying a fee to the City. For re-development projects, the owner or designee of the proposed development site shall have the option of paying an in-lieu fee to the City which will be used by the City to construct stormwater improvement measures off-site. All the required detention (including channel protection) must be met onsite. A minimum of 75% of the runoff reduction/water quality treatment must be provided on-site. The remainder of the runoff reduction/water quality treatment may be met by a fee-in-lieu payment. The owner must demonstrate no increased downstream negative impacts where there are incised streambank conditions. Fee-in-Lieu funds will be applied to the construction of stormwater improvement projects in the same HUC-12 watershed. Program qualifications and details are provided in the ASPH.

I. Application Fee. The fee for review of any land development application shall be based on the fee structure established by the city, and payment shall be made before the issuance of any land disturbance permit or building permit for the development.

J. Application Procedures. Land development applications are handled as part of the process to obtain the land disturbance permit pursuant to the Alpharetta Unified Development Code, as applicable. Before any person begins development on a site, the owner of the site shall first obtain approval in accordance with the following procedure:

(a) File a land development application with the city on the city’s form of application along the following supporting materials:

(i) the stormwater management plan and report prepared in accordance with 3.3.1 H,

(ii) a certification that the development will be performed in accordance with the stormwater management plan once approved,

(iii) annotated checklists,

(iv) proof of pre-submittal meeting including a copy of the stormwater concept plan,

(v) documentation of preliminary determination of infeasibility of runoff reduction, as applicable, prepared in accordance with the practicability policy, and

(vi) an acknowledgement that applicant has reviewed the city's form of inspection and maintenance agreement and that applicant agrees to sign and record such inspection and maintenance agreement before the final CO inspection. A copy of the proposed inspection and maintenance agreement must be included in the stormwater management plan or report.

(b) The administrator shall inform the applicant whether the application and supporting materials are approved or disapproved.

(c) If the application or supporting materials are disapproved, the administrator shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same for the administrator to again consider and either approve or disapprove.

(d) If the application and supporting materials are approved, the city may issue the associated land disturbance permit or building permit, provided all other legal requirements for the issuance of such permits have been met. The stormwater management plan included in such applications becomes the approved stormwater management plan.

(e) Performance and Maintenance Bonds. The city may require performance and/or maintenance bonds for stormwater management facilities or practices and define the bond amounts. Bonds may be collected prior to issuance of a land disturbance permit, prior to approval of a final plat, prior to approval of CO, and/or prior to final closeout of the construction site.

K. Compliance with the Approved Stormwater Management Plan. All development shall be:

(a) consistent with the approved stormwater management plan and all applicable land disturbance and building permits, and

(b) conducted only within the area specified in the approved stormwater management plan.

(c) The city should be allowed to conduct periodic inspections of the project.

(d) Upon completion of the project, the applicant or other responsible person shall submit the engineer's report and certificate and as-built plans required by Section 3.3.1 M.

No changes may be made to an approved stormwater management plan without review and advanced written approval by the administrator.

L. Inspections to Ensure Plan Compliance During Construction. Periodic inspections of the stormwater management system during construction shall be conducted by the staff of the city or conducted and certified by a professional engineer who has been approved by the city. Inspections shall use the approved stormwater management plan for establishing compliance.

All inspections shall be documented with written or electronic reports that contain the following information:

- (a) The date and location of the inspection;
- (b) Whether the stormwater management system is in compliance with the approved stormwater management plan;
- (c) Variations from the approved stormwater management plan; and
- (d) Any other variations or violations of the conditions of the approved stormwater management plan.

M. Final Inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement. Upon completion of the development, the applicant is responsible for:

- (a) Certifying that the stormwater management system is functioning properly and was constructed in conformance with the approved stormwater management plan and associated hydrologic analysis,
- (b) Submitting as-built drawings showing the final design specifications for all components of the stormwater management system as certified by a professional engineer,
- (c) Certifying that the landscaping is established and installed in conformance with the BMP landscaping plan, and
- (d) Delivering to the city a signed inspection and maintenance agreement that has been recorded by the owner in the property record for all parcel(s) that make up the site.

The required certification under part (a) shall include a certification of volume, or other performance test applicable to the type of stormwater management system component, to ensure each component is functioning as designed and built according to the design specifications in the approved stormwater management plan. This certification and the required performance tests shall be performed by a qualified person and submitted to the city with the request for a final inspection. The city shall perform a final inspection with applicant to confirm applicant has fulfilled these responsibilities. A bond inspection by the City is required before the release of any performance securities or bonds can occur.

N. Violations and Enforcement. Any violation of the approved stormwater management plan during construction, failure to submit as-built drawings, failure to submit a final BMP landscaping plan, failure to follow the approved plans, failure to submit plans or changes for approval, or failure of the final inspection shall constitute and be addressed as violations of, or failures to comply with, the underlying land disturbance permit pursuant to Section 3.3.9 of this ordinance. To address a violation of this Article or Section, the city shall have all the powers and remedies that are available to it for other violations of building and land disturbance permits,

including without limitation the right to issue notices and orders to ensure compliance, stop work orders, and penalties as set forth in the applicable ordinances for such permits.

O. Maintenance by Owner of Stormwater Management Systems Predating Current GSMM. For any stormwater management systems approved and built based on requirements predating the current GSMM and that is not otherwise subject to an inspection and maintenance agreement, such stormwater management systems shall be maintained by the owner so that the stormwater management systems perform as they were originally designed.

P. Inspection and Maintenance Agreements.

(a) The owner shall execute an inspection and maintenance agreement with the city obligating the owner to inspect, clean, maintain, and repair the stormwater management system; including vegetation in the final BMP landscaping plan. The form of the inspection and maintenance agreement shall be the form provided by the city or a city approved alternate. After the inspection and maintenance agreement has been signed by the owner and the city, the owner shall promptly record such agreement at the owner's cost in the property record for all parcel(s) that make up the site.

(b) The inspection and maintenance agreement shall identify by name or official title the person(s) serving as the point of contact for carrying out the owner's obligations under the inspection and maintenance agreement. The owner shall update the point of contact from time to time as needed and upon request by the city. Upon any sale or transfer of the site, the new owner shall notify the city in writing within 30 days of the name or official title of new person(s) serving as the point of contact for the new owner. Any failure of an owner to keep the point of contact up to date shall, following 30 days' notice, constitute a failure to maintain the stormwater management system.

(c) The inspection and maintenance agreement shall run with the land and bind all future successors-in-title of the site. If there is a future sale or transfer of only a portion of the site, then:

(i) The parties to such sale or transfer may enter into and record an assignment agreement designating the owner responsible for each portion of the site and associated obligations under the inspection and maintenance agreement. The parties shall record and provide written notice and a copy of such assignment agreement to the city.

(ii) In the absence of a recorded assignment agreement, all owners of the site shall be jointly and severally liable for all obligations under the inspection and maintenance agreement regardless of what portion of the site they own.

(d) The City may refuse to accept dedication of any existing or future stormwater management facility if the Director of Public Works or his/her designee determines that accepting the facility is not in the best interest of the City due to maintenance cost or

other factors.

Q. Right of Entry for Maintenance Inspections. The terms of the inspection and maintenance agreement shall provide for the city's and representatives of the city's right of entry for maintenance inspections and other specified purposes. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then the city shall have the right to enter and make inspections pursuant to the city general provisions for property maintenance inspections pursuant to the Alpharetta Unified Development Code, the Alpharetta Property Maintenance Code, and the ASPH. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this ordinance is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this ordinance

R. Owner's Failure to Maintain the Stormwater Management System. The terms of the inspection and maintenance agreement shall provide for what constitutes a failure to maintain a stormwater management system and the enforcement options available to the city. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:

(a) An owner's failure to maintain the stormwater management system so that it performs as it was originally designed shall constitute and be addressed as a violation of, or failure to comply with, owner's property maintenance obligations pursuant to the Alpharetta Unified Development Code, the Alpharetta Property Maintenance Code, and the ASPH; and

(b) To address such a failure to maintain the stormwater management system, the city shall have all the powers and remedies that are available to it for other violations of an owner's property maintenance obligations, including without limitation prosecution, penalties, abatement, and emergency measures.

S. Maintenance Responsibilities. For all existing and new developments, the following responsibilities should apply unless the existing maintenance agreement specifically defines responsibilities.

(a) Any stormwater management facility which services individual subdivisions shall be privately owned with routine maintenance provided for by the owner(s). In subdivisions with an established homeowners' association, the homeowners' association shall be assumed to be responsible for routine maintenance unless the HOA has

established covenants, deeds, or restrictions placing responsibility back on specific property owners. The owner shall maintain a perpetual, non-exclusive easement which allows for access for inspection and other maintenance. Determination of whether the HOA or private property owners are responsible will be done by the legal system between the private entities, not the city.

(b) Any stormwater management facility which services an individual subdivision in which the facility is within designated open areas or an amenity with an established homeowners' association shall be privately owned and maintained by the property owner. The owner shall maintain a perpetual, non-exclusive easement which allows for access for inspection and emergency maintenance.

(c) Any stormwater management facility which services commercial and industrial development shall be privately owned and maintained. The City shall reserve the right, but not the duty to enter the premises for emergency repairs.

(d) All other stormwater management facilities, including regional stormwater detention, shall be publicly owned and/or maintained only if accepted for maintenance by the City.

(e) Drainage easements where a subdivision is traversed by a water course, drainage way, natural stream or channel off the street right-of-way shall be clearly defined on the plat and deed of the individual property for the purpose of maintaining the free flow of water. The owner shall be required to keep the easement free of obstructions and will maintain same in such a way as to assure free and maximum flow at all times. Should a drainage easement only serve one property (no off-site drainage flows through the easement, whether in a conveyance or overland), the property owner may be allowed by the city to install permanent structures within the easement or may be allowed to alter the layout of the easement.

(f) Records of Maintenance Activities. Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to city upon request.

(g) A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health and the city becomes aware of such condition, the city shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the city may correct the violation as provided in 3.3.1 R.

(h) Inspection programs by the city may be established on any reasonable basis, including but not limited to routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include but are not limited to reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.

T. Special Operations and Maintenance Agreement for Homeowners' Associations or Other Associations. For all stormwater management practices required pursuant to this ordinance that are to be owned and maintained by a homeowners' association, property association, or similar entity, the required operations and maintenance agreement shall include all of the following provisions:

- (a) Acknowledgement that operations and maintenance agreements run with the land and impose pro rata liability upon individual lot owners. The developer and association agree that the operations and maintenance agreement run with the land and shall be binding upon themselves, their respective successors and assigns, including individual lot owners within the Subdivision. Any liability imposed against an individual landowner shall be pro-rated in a per lot basis as determined by the fraction of lot(s) owned by the individual lot owner.
- (b) The Developer, Association, their respective successors and assigns, including individual lot owners within the subdivision agree to regularly and routinely inspect, clean, and maintain the [Low Impact Development \(LID\) BMP](#), and otherwise keep in good repair, at their own cost and expense.
- (c) The Developer, Association, their respective successors and assigns, including individual lot owners within the subdivision agree that they will reimburse the city for its cost and expenses incurred in the process of cleaning, maintaining, and/or repairing the BMPs pursuant to this agreement in the event the BMPs are failing and the city chooses to intervene.
- (d) The Covenant of the Subdivision establishing the Association establishes that the Association is obligated to inspect, clean, maintain, and repair the BMPs; the Association has adopted the Operation and Maintenance Agreement as an obligation of the Association; and that a funding mechanism, such as an escrow account, is in place whereby individual lot owners within the subdivision pay a regular fee to the Association for the inspection, cleaning, maintenance, and repair of the stormwater management practice(s).
- (e) Upon the initial sale of any lot within the Subdivision and prior to closing on such sale, the Developer shall give a copy of the Operation and Maintenance agreement to the potential buyer.
- (f) [The developer shall consider setting aside funds in a separate account for future HOA stormwater management system maintenance. The amount should be based on offsetting anticipated future maintenance costs.](#)

SECTION 3.3 - **STORMWATER** MANAGEMENT—GENERAL

3.3.2 Stream buffer protection.

A. *Findings and Purposes.*

1. *Findings.* Whereas, the Public Works Department of City of Alpharetta finds that buffers adjacent to streams provide numerous benefits including:
 - a. Protecting, restoring and maintaining the chemical, physical and biological integrity of streams and their water resources.
 - b. Removing pollutants delivered in urban stormwater.
 - c. Reducing erosion and controlling sedimentation.
 - d. Protecting and stabilizing stream banks.
 - e. Providing for infiltration of stormwater runoff.
 - f. Maintaining base flow of streams.
 - g. Contributing organic matter that is a source of food and energy for the aquatic ecosystem.
 - h. Providing tree canopy to shade streams and promote desirable aquatic habitat.
 - i. Providing riparian wildlife habitat.
 - j. Furnishing scenic value and recreational opportunity.
 - k. Providing opportunities for the protection and restoration of greenspace.
2. *Purposes.* The purpose of this Ordinance is to protect the public health, safety, environment and general welfare; to minimize public and private losses due to erosion, siltation and water pollution; and to maintain stream water quality by provisions designed to:
 - a. Create buffer zones along the streams of the City for the protection of water resources; and,
 - b. Minimize land development within such buffers by establishing buffer zone requirements and by requiring authorization for any such activities.

B. *Definitions.*

Buffer means, with respect to a stream, a natural or enhanced vegetated area (established by Section 3.3.2D), lying adjacent to the stream. **The area of land adjacent to the banks of State Waters in its natural state of vegetation, which facilities, when properly vegetated, the protection of water quality and aquatic habitat (O.C.G.A. 12-7-6(b)(15)).**

Floodplain means any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e. the regulatory flood.

Impervious Cover means any manmade paved, hardened or structural surface regardless of material. Impervious cover includes but is not limited to rooftops, buildings, streets, roads, decks, swimming pools, and any concrete, asphalt, or compacted gravel.

Land Development means any land change, including but not limited to clearing, grubbing, stripping, removal or vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other installation of impervious cover.

Land Development Activity means those actions or activities which comprise, facilitate or result in land development.

Land Disturbance means any land or vegetation change, including, but not limited to, clearing, grubbing, stripping, removal or vegetation, dredging, grading, excavating, transporting and filling of land, that do not involve construction, paving or other installation of impervious cover.

Land Disturbance Activity means those actions or activities which comprise, facilitate or result in land disturbance.

Parcel means any plot, lot or acreage shown as a unit on the latest county tax assessment records.

Permit means the permit issued by the city required for undertaking any land development activity.

Person means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Protection Area or Stream Protection Area means, with respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Riparian means belonging or related to the bank of a river, stream, lake, pond, or impoundment.

Setback means, with respect to a stream, the area established by Section 3.3.2D extending beyond any buffer applicable to the stream.

Stream means any stream, beginning at:

1. The location of a spring, seep, or groundwater outflow that sustains streamflow; or
2. A point in the stream channel with a drainage area of 25 acres or more; or
3. Where evidence indicates the presence of a stream in a drainage area of other than 25 acres, the city may require field studies to verify the existence of a stream.

Stream Bank means the **confining cut of a stream channel and is usually identified as the point where the normal stream flow has wrested the vegetation.**

Stream Channel means the portion of a watercourse that contains the base flow of the stream.

Watershed means the area that drains into a particular stream.

- C. *Applicability.* This ordinance shall apply to all land development activity on property containing a stream protection area. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under state law and approval or exemption from these requirements do not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.

1. *Grandfather Provisions.* This ordinance shall not apply to the following activities:

- a. Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before the effective date of this ordinance.
- b. Existing development and on-going land disturbance activities including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that new development or land disturbance activities on such properties will be subject to all applicable buffer requirements.
- c. Any land development activity that is under construction, fully approved for development, scheduled for permit approval or has been submitted for approval as of the effective date of this ordinance.
- d. Land development activity that has not been submitted for approval, but that is part of a larger master development plan, such as for an office park or other phased development that has been previously approved within two years of the effective date of this ordinance.
- e. Grandfathering provisions only apply to Section 3.3.2 Stream Buffer Protection.

2. *Exemptions.* The following specific activities are exempt from this ordinance. After the effective date of this ordinance, it shall apply to new subdividing and platting activities. Any land development activity within a buffer established hereunder or any impervious cover within a

setback established hereunder is prohibited unless a variance is granted pursuant to Section C below. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

- a. Activities for the purpose of building one of the following:
 - (1) A stream crossing by a driveway, transportation route or utility line;
 - (2) Public water supply intake or public wastewater outfall structures;
 - (3) Intrusions necessary to provide access to a property;
 - (4) Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
 - (5) Unpaved foot trails and paths;
 - (6) Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used;
 - (7) The City of Alpharetta Greenway system ([exemption applies to city buffers only](#)).
- b. Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in Item a., above.
- c. Land development activities within a right-of-way existing at the time this ordinance takes effect or approved under the terms of this ordinance.
- d. Within an easement of any utility existing at the time this ordinance takes effect or approved under the terms of this ordinance, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
- e. Emergency work necessary to preserve life or property. However, when emergency work is performed under this Section, the person performing it shall report such work to the Public Works Department on the next business day after commencement of the work. Within ten (10) days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the City to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.
- f. Forestry and silviculture activities on land that is zoned for forestry, silvicultural or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the buffer that would otherwise be prohibited, then no other land-disturbing activity other than normal forest management practices will be allowed on the entire property for three years after the end of the activities that intruded on the buffer.

D. Land Development Requirements.

- 1. **Buffer and Setback Requirements.** All land development activity subject to this ordinance shall meet the following requirements:
 - a. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of a non-perennial stream as measured from the top of the stream bank. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

- b. An undisturbed natural vegetative buffer shall be maintained for 100 feet, measured horizontally, on both banks (as applicable) of a perennial stream as measured from the top of the stream bank. An additional setback shall be maintained for 50 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback. If approved by the City, the buffer requirement may be achieved by maintaining an average of width of 100 feet and a minimum distance of 50 feet from each side of the stream as measured horizontally from the top of the stream bank. If approved by the City, the setback may be achieved by restricting the construction of any impervious surface within an average setback of 150 feet on each side of the stream and a minimum distance of 75 feet as measured horizontally from the top of the stream bank. No averaging shall be allowed on the following:
 - (1) Big Creek.
 - (2) Foe Killer Creek.
 - (3) Any perennial stream within a seven (7) mile radius upstream of the Roswell water supply intake protected pursuant to Section 3.3.12.
 - c. No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.
 - d. No solid fences greater than four (4) feet in height are permitted within the buffer. Fences that are not private in nature (such as split rail) may be allowed for the delineation of property or other purposes not intended to disturb the buffer area.
2. *Variance Procedures.* Variances from the above buffer and setback requirements may be granted in accordance with the following provisions:
- a. Where a parcel was platted prior to the effective date of this ordinance, and its shape, topography or other existing physical condition prevents land development consistent with this ordinance, and the City of Alpharetta finds and determines that the requirements of this ordinance prohibit the otherwise lawful use of the property by the owner, the City may grant a variance from the buffer and setback requirements hereunder, provided such variance require mitigation measures to offset the effects of any proposed land development on the parcel.
 - b. Requests for variances shall follow the procedures described in Section 4.5 and Section 5.2. Variances will be considered only in the following cases:
 - (1) When a property's shape, topography or other physical conditions existing at the time of the adoption of this ordinance prevents land development unless a buffer variance is granted.
 - (2) Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Variances will not be considered when, following adoption of this ordinance, actions of any property owner of a given property have created conditions of a hardship on that property.
 - c. At a minimum, a variance request shall include the following information:
 - (1) A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;
 - (2) A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - (3) A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;

- (4) Documentation of unusual hardship should the buffer be maintained;
 - (5) At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;
 - (6) A calculation of the total area and length of the proposed intrusion;
 - (7) A stormwater management site plan, if applicable; and,
 - (8) Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.
 - d. The following factors will be considered in determining whether to issue a variance:
 - (1) The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - (2) The locations of all streams on the property, including along property boundaries;
 - (3) The location and extent of the proposed buffer or setback intrusion; and,
 - (4) Whether alternative designs are possible which require less intrusion or no intrusion;
 - (5) The long-term and construction water-quality impacts of the proposed variance;
 - (6) Whether issuance of the variance is at least as protective of natural resources and the environment.
- E. *Additional Information Requirements for Development on Buffer Zone Properties.*** All buffer and setback areas must be recorded on the final plat of the property following plan approval. Any permit applications for property requiring buffers and setbacks hereunder must include the following:
- 1. A site plan showing:
 - a. The location of all streams on the property;
 - b. Limits of required stream buffers and setbacks on the property;
 - c. Buffer zone topography with contour lines at no greater than (2) two-foot contour intervals;
 - d. Delineation of forested and open areas in the buffer zone;
 - e. Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback; and
 - f. Location of the floodplain;
 - 2. A description of all proposed land development within the buffer and setback; and,
 - 3. Any other documentation that the City of Alpharetta may reasonably deem necessary for review of the application and to ensure that the buffer zone ordinance is addressed in the approval process.
- F. *Responsibility.*** Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this ordinance shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon the City of Alpharetta, its officers or employees, for injury or damage to persons or property.
- G. *Inspection.*** The City may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist the City in making such inspections. The City shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this ordinance, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

3.3.3 Wetlands.

A. Definitions.

Wetlands. Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Generalized Wetlands Map. The current U.S. Fish and Wildlife Service National Wetlands Inventory maps for the City of Alpharetta, Georgia.

Jurisdictional Wetlands. An area that meets the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers.

Jurisdictional Wetland Determination. A delineation of jurisdictional wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, 33 U.S.C. § 1344, as amended.

Regulated Activity. Any activity that will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the U.S. excepting those activities exempted in Section 404 of the Federal Clean Water Act.

- B. *Establishment of the Wetlands Protection District.* The Wetlands Protection District is hereby established which shall correspond to all lands within the jurisdiction of the City of Alpharetta Georgia that are mapped as wetland areas by the U.S. Fish and Wildlife Service National Wetlands Inventory Maps. This map shall be referred to as the Wetlands Map and is hereby adopted by reference and declared to be a part of this ordinance, together with all explanatory matter thereon and attached thereto.

The Wetlands Map does not represent the boundaries of jurisdictional wetlands and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. Any local government action under this ordinance does not relieve the landowner from federal or state permitting requirements.

- C. *Protection Criteria.* No regulated activity will be permitted within the Wetlands Protection District without a permit from the City of Alpharetta. If the area proposed for development is located within 50 feet of a Wetlands Protection District boundary, as determined by the Director using the Generalized Wetlands Map, a U.S. Army Corps of Engineers determination shall be required. If the Corps determines that wetlands are present on the proposed development site, the local permit or permission will not be granted until a Section 404 Permit or Letter of Permission is issued.

The filling in of established lakes, ponds and wetlands is discouraged.

- D. *Permitted Uses.* The following uses shall be allowed as of right within the Wetlands Protection District to the extent that they are not prohibited by any other ordinance or law, including laws of trespass, and provided they do not require structures, grading, fill, draining, or dredging except as provided herein.
1. Conservation or preservation of soil, water, vegetation, fish and other wildlife, provided it does not affect waters of Georgia or of the United States in such a way that would require an individual 404 Permit.
 2. Outdoor passive recreational activities, including fishing, bird watching, hiking, boating, horseback riding, and canoeing.
 3. Forestry practices applied in accordance with best management practices approved by the Georgia Forestry Commission and as specified in Section 404 of the Clean Water Act.
 4. The cultivation of agricultural crops. Agricultural activities shall be subject to best management practices approved by the Georgia Department of Agriculture.

5. The pasturing of livestock, provided that riparian wetlands are protected, that soil profiles are not disturbed and that approved agricultural Best Management Practices are followed.
 6. Education, scientific research, and nature trails.
- E. *Prohibited Uses.* The following uses are not permitted within the Wetlands Protection District.
1. Receiving areas for toxic or hazardous waste or other contaminants;
 2. Hazardous or sanitary waste landfills;
- F. *Administration, plan review, and permitting procedures are provided for in Section 4.4 of this code.*

3.3.4 Illicit Discharge and Illegal Connection.

A. *Findings.* It is hereby determined that:

Discharges to the City of Alpharetta's separate storm sewer system that are not composed entirely of stormwater runoff contribute to increased nonpoint source pollution and degradation of receiving waters;

These non-stormwater discharges occur due to spills, dumping and improper connections to the City's separate storm sewer system from residential, industrial, commercial or institutional establishments.

These non-stormwater discharges not only impact waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters.

The impacts of these discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These impacts can be minimized through the regulation of spills, dumping and discharges into the City's separate storm sewer system;

Localities in the State of Georgia are required to comply with a number of State and Federal laws, regulations and permits which require a locality to address the impacts of stormwater runoff quality and nonpoint source pollution due to improper non-stormwater discharges to the City's separate storm sewer system;

Therefore, the City of Alpharetta adopts this ordinance to prohibit such non-stormwater discharges to the City's separate storm sewer system. It is determined that the regulation of spills, improper dumping and discharges to the City's separate storm sewer system is in the public interest and will prevent threats to public health and safety, and the environment.

B. *Purpose and Intent.* The purpose of this ordinance is to protect the public health, safety, environment and general welfare through the regulation of non-stormwater discharges to the City's separate storm sewer system to the maximum extent practicable as required by Federal law. This ordinance establishes methods for controlling the introduction of pollutants into the City's separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are to:

1. Regulate the contribution of pollutants to the City's separate storm sewer system by any person;
2. Prohibit illicit discharges and illegal connections to the City's separate storm sewer system;
3. Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the City's separate storm sewer system; and,
4. To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this ordinance;
5. No variances shall be granted to illicit discharge or illegal connection.

C. *Applicability, Compatibility with Other Regulations, Severability, and Responsibility for Administration*

1. The provisions of this ordinance shall apply throughout the incorporated area of Alpharetta.

2. This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

3. If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgement shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.

4. The City shall administer, implement, and enforce the provisions of this ordinance.

D. *Definitions.*

Accidental Discharge means a discharge prohibited by this ordinance which occurs by chance and without planning or thought prior to occurrence.

City Separate Storm Sewer System means any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, city streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and manmade or altered drainage channels, reservoirs, and other drainage structures, and which is:

- a. Owned or maintained by the city;
- b. Not a combined sewer; and
- c. Not part of a publicly owned treatment works.

Clean Water Act means the Federal Water Pollution Control Act (33 USC § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity means activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Illicit Discharge means any direct or indirect non-stormwater discharge to the city separate storm sewer system, except as exempted in 3.3.4 D.

Illegal Connection means either of the following:

- a. Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- b. Any pipe, open channel, drain, or conveyance connected to the city separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial Activity means activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26(b)(14).

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit means a permit issued by the Georgia EPD under authority delegated pursuant to 33 USC §1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Stormwater Discharge means any discharge to the storm drain system that is not composed entirely of stormwater.

Person means, except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city county or other political subdivision of the State, any interstate body or any other legal entity.

Pollutant means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that some may cause or contribute to pollution; floatables;

pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from construction or building or structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution means the contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gas, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

Premises mean any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

State Waters means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural, or artificial, lying within or forming a part of the boundaries of the State of Georgia which are not entirely confined and retained completely upon the property of a single person.

Stormwater Runoff or Stormwater means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

Structural Stormwater Control means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

- E. *Prohibition of Illicit Discharges.* No person shall throw, drain, run, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into any component of the City of Alpharetta separate storm sewer system, or to cause permit or suffer to be thrown, drained, run, or allow to seep or otherwise discharge, into such system, any pollutants or waters containing any pollutants, other than stormwater.

1. The following discharges are exempt from the prohibition provision above:

- a. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;
- b. Discharges or flows from firefighting, and other discharges specified in writing by the City of Alpharetta as being necessary to protect public health and safety;
- c. The prohibition provision above shall not apply to any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the State and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval from the City has been granted for any discharge to the City's separate storm sewer system.

- F. *Prohibition of Illegal Connections.* The construction, connection, use, maintenance or continued existence of any illegal connection to the City's separate storm sewer system is prohibited.

1. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
2. A person violates this ordinance if the person connects a line conveying sewage to the City's separate storm sewer system, or allows such a connection to continue.

3. The person responsible for any connection in violation of this Ordinance shall immediately cause the illegal connection to be disconnected and redirected, if necessary to Fulton County's sanitary sewer system upon approval by the Director of Fulton County' sanitary sewer department or an approved onsite wastewater management system. Such person shall provide the City with written confirmation that the connection has been disconnected, and, if necessary, redirected to Fulton County sanitary sewer.
 4. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the City requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the City.
- G. *Industrial or Construction Activity Discharges.* Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City prior to allowing discharges to the City's separate storm sewer system.
- H. *Access and Inspection of Properties and Facilities.* Representatives of the City shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this ordinance.
1. If a property or facility has security measures in force which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the City.
 2. The owner or operator shall allow representatives of the City ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater.
 3. The City shall have the right to set up on any property or facility such devices as are necessary in the opinion of representatives of the City to conduct monitoring and/or sampling of flow discharges.
 4. The City may require the owner or operator to install monitoring equipment and perform monitoring as necessary and make the monitoring data available to the Public Works Department. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure their accuracy.
 5. Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the City and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.
 6. Unreasonable delays in allowing representatives of the City access to a facility is a violation of this ordinance.
 7. If a representative of the City has been refused access to any part of the premises from which stormwater is discharged, and the representative of the City is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the representative of the City may seek issuance of a search warrant from any court of competent jurisdiction.

- I. *Notification of Accidental Discharges and Spills.* Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the City's separate storm sewer system, State Waters, or Waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

Said person shall notify the Public Works Department by phone, facsimile, or in person within 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Public Works Department within three business days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.

In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified.

Failure to provide notification of a release as provided above is a violation of this ordinance.

3.3.5 Conservation subdivision.

A. *Purposes.*

1. To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure.
2. To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land.
3. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
4. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
5. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
6. To promote interconnected greenways and corridors throughout the community.
7. To promote contiguous greenspace with adjacent jurisdictions.
8. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
9. To encourage street designs that reduce traffic speeds and reliance on main arteries.
10. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
11. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
12. To preserve important historic and archaeological sites.
13. No variances shall be granted to conservation subdivisions.

B. *General Regulations.*

1. *Applicability of Regulations.* This Conservation Subdivision option is available in the Residential Estate (RE) zoning district as a use by right. Applicant shall comply with all other provisions of the zoning code and all other applicable laws, except those that are incompatible with the provisions contained herein.
2. *Ownership of Development Site.* The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.
3. *Housing Density Determination.* The maximum number of lots in the Conservation Subdivision shall be determined by either of the following two methods, at the discretion of the City:
 - a. *Calculation:* The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning. In making this calculation, the following shall not be included in the total area of the parcel:
 - (1) Slopes over 25 percent of at least 5,000 square feet contiguous area;
 - (2) The 100-year floodplain;
 - (3) Bodies of open water over 5,000 square feet contiguous area;

- (4) Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act;
- (5) Anticipated right-of-way needs for roads and utilities; or,
- (6) Required stream buffers.

b. **Yield Plan:** The maximum number of lots is based on a conventional subdivision design plan prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given site features and all applicable regulations.

C. *Application Requirements.*

1. *Site Analysis Map Required.* Concurrent with the submission of a preliminary plat, Applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed Open Space will meet the requirements of this article. The preliminary plat shall include the following features, in addition to the other requirements of this document.
 - a. Property boundaries;
 - b. All streams, rivers, lakes, wetlands and other hydrologic features;
 - c. Topographic contours of no less than 10-foot intervals;
 - d. All Primary and Secondary Conservation Areas labeled by type, as described in Section 4 of this Article;
 - e. General vegetation characteristics;
 - f. General soil types;
 - g. The planned location of protected Open Space;
 - h. Existing roads and structures; and,
 - i. Potential connections with existing greenspace and trails.
2. *Open Space Management Plan Required.* An open space management plan, as described in Section 4, shall be prepared and submitted prior to the approval of the preliminary plat.
3. *Instrument of Permanent Protection Required.* An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in Subsection D below, shall be placed on the Open Space concurrent with the issuance of a land disturbance permit.
4. *Other Requirements.* The Applicant shall adhere to all other applicable requirements of the underlying zoning and the Unified Development Code.

D. *Open Space.*

1. *Definition.* Open Space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the Open Space are restricted in perpetuity through the use of an approved legal instrument.
2. *Standards to Determine Open Space.*
 - a. The minimum restricted Open Space shall comprise at least 40% of the gross tract area.
 - b. The following are considered Primary Conservation Areas and are required to be included within the Open Space, unless the Applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:

- (1) The regulatory 100-year floodplain;
 - (2) Buffer zones of at least 75 ft. width along all perennial and intermittent streams;
 - (3) Slopes above 25 percent of at least 5,000 square feet contiguous area;
 - (4) Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;
 - (5) Populations of endangered or threatened species, or habitat for such species; and,
 - (6) Archaeological sites, cemeteries and burial grounds.
 - c. The following are considered Secondary Conservation Areas and should be included within the Open Space to the maximum extent feasible:
 - (1) Important historic sites;
 - (2) Existing healthy, native forests of at least one acre contiguous area;
 - (3) Individual existing healthy trees greater than 8 inches caliper, as measured from their outermost drip line;
 - (4) Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads;
 - (5) Prime agricultural lands of at least five acres contiguous area; and,
 - (6) Existing trails that connect the tract to neighboring areas.
 - d. Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected Open Space but cannot be counted towards the 40 percent minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Open Space.
 - e. At least 75 percent of the Open Space shall be in a contiguous tract. The Open Space should adjoin any neighboring areas of Open Space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Open Space.
 - f. The Open Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the Open Space.
3. *Permitted Uses of Open Space.* Uses of Open Space may include the following:
- a. Conservation of natural, archeological or historical resources;
 - b. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
 - c. Walking or bicycle trails, provided they are constructed of porous paving materials;
 - d. Passive recreation areas;
 - e. Active recreation areas, provided that they are limited to no more than 10 percent of the total Open Space, are not located within Primary Conservation Areas, and do not require significant tree removal. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Open Space;
 - f. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, such activities are not conducted within Primary Conservation Areas, and such activities are in compliance with this ordinance;

- g. Nonstructural stormwater management practices, provided that they are limited to no more than 10 percent of the total Open Space, are not located within Primary Conservation Areas, and do not require significant tree removal;
 - h. Easements for drainage, access, and underground utility lines, provided that they are limited to no more than 10 percent of the total Open Space, are not located within Primary Conservation Areas, and do not require significant tree removal; or
 - i. Other conservation-oriented uses compatible with the purposes of this ordinance.
- 4. *Prohibited uses of Open Space.*
 - a. Golf courses;
 - b. Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
 - c. Agricultural and forestry activities not conducted according to accepted Best Management Practices; and,
 - d. Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.
- 5. *Ownership and Management of Open Space.*
 - a. Ownership of Open Space. The applicant must identify the owner of the Open Space who is responsible for maintaining the Open Space and facilities located thereon. If a Homeowners Association is the owner, membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. If a Homeowners Association is the owner, the Homeowners' Association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the owner.
 - b. Management Plan. Applicant shall submit a Plan for Management of Open Space and Common Facilities ("Plan") that:
 - (1) Allocates responsibility and guidelines for the maintenance and operation of the Open Space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
 - (2) Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the Open Space and outlines the means by which such funding will be obtained or provided;
 - (3) Provides that any changes to the Plan be approved by the Board of Commissioners; and,
 - (4) Provides for enforcement of the Plan.
 - c. In the event the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, the City may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, Homeowner's Association, or to the individual property owners that make up the Homeowner's Association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.
- 6. *Legal Instrument for Permanent Protection.*
 - a. The Open Space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:
 - (1) A permanent conservation easement in favor of either:

- (i) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
- (ii) A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance.

If the entity accepting the easement is not the City, then a third right of enforcement favoring the City shall be included in the easement;

- (2) A permanent restrictive covenant for conservation purposes in favor of a governmental entity; or,
 - (3) An equivalent legal tool that provides permanent protection, if approved by the City.
- b. The instrument for permanent protection shall include clear restrictions on the use of the Open Space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the Applicant chooses to place on the use of the Open Space.

3.3.6 Water supply watershed protection.

A. Definitions.

Buffer. A natural or enhanced vegetated area with no or limited minor land disturbances, such as trails and picnic areas, located adjacent to reservoirs or perennial streams within a water supply watershed.

Corridor. All land within the buffer areas established adjacent to reservoirs or perennial streams within a water supply watershed and within other setback areas specified in Section IV of this ordinance.

Impervious Surface. A man-made structure or surface that prevents the infiltration of storm water into the ground below the structure or surface. Examples are buildings, roads, driveways, parking lots, decks, swimming pools, or patios.

Perennial Stream. A stream that has normal stream flows consisting of base flow (discharge that enters the stream channel mainly from groundwater) or both base flow and direct runoff during any period of the year.

Small Water Supply Watershed. A watershed that contains less than 100 square miles of land within the drainage basin upstream of a governmentally owned public drinking water supply intake.

Utility. Public or 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.

Water Supply Watershed. The area of land upstream of a governmentally owned public drinking water intake.

B. *Establishment of a Water Supply Watershed District.* The Roswell Water Supply Watershed District is hereby designated and shall comprise the land that drains to City of Roswell water intake at Big Creek. The boundary of this overlay is defined by the ridgeline of the watershed and the boundary of a radius of seven (7) miles upstream of the Roswell Water Supply Intake. This overlay is delineated and defined on the Water Supply Watershed Protection District Map of The City of Alpharetta, hereafter referred to as The Map. The Map is hereby incorporated into and made a part of this ordinance by reference.

The Roswell Intake is within a small water supply watershed. An intake for the City of Roswell Georgia is located on Big Creek. This Water Supply Watershed does not contain a reservoir.

C. *Protection Criteria.* The following regulations shall apply to the Roswell Water Supply Watershed within the City of Alpharetta as identified on the Map. Stream buffer requirements are also established as part of the City of Alpharetta Soil Erosion and Sedimentation Control Ordinance and the Stormwater Owner Ordinance. In areas of conflict, the stricter Ordinance will prevail.

1. The corridors of all perennial streams within a seven mile radius upstream of the Roswell water supply intake must be protected by the following criteria:
 - a. A buffer shall be maintained for a distance of 100-feet on both sides of the stream as measured from the stream banks.
 - b. No impervious surface shall be constructed within a 150-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drain fields are prohibited in the 150-foot setback area.
2. The corridors of all perennial streams outside a seven-mile radius upstream of the Roswell water supply intake must be protected by the following criteria:
 - a. A buffer shall be maintained for a distance of 50-feet on both sides of the stream as measured from the stream banks.
 - b. No impervious surface shall be constructed within a 75-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drain fields are prohibited in the 75-foot setback area.

3. The impervious surface area of facilities, including all public and private structures and utilities, within the water supply watershed shall be limited to 25% of the total area within the development, or the existing use, whichever is greater. The total amount of impervious area may exceed the 25% impervious limit if the following conditions are met and approved by the City.
 - a. The impervious surface area of facilities, including all public and private structures and utilities, within the water supply watershed shall be limited to 25% of the total area within the development, or the existing use, whichever is greater. All impervious surfaces must be included in the determination of the total impervious surface density of the City.
 - b. If the pending Big Creek Watershed Study recommendations are formally adopted by all of the local governments within the watershed, then the following approach may be considered: the total amount of impervious area may exceed the 25% impervious limit if the following conditions are met and approved by the City. The total directly connected impervious surface area within the development shall not exceed 25%. Impervious can be considered disconnected from the drainage system if the runoff from the impervious surface flows over a minimum of 25 feet of pervious surface or if the runoff from 1.2 inches of rainfall is treated by the following water quality best management practices:
 - (1) Wet ponds (extended detention for less than 20 acres)—ED-micro pool.
 - (2) Wetlands—constructed.
 - (3) Infiltration Trenches.
 - (4) Dry Swales.
 - (5) Sand Filters.
 - (6) Bio-retention.
 - (7) Vegetated filtration Systems.
 - (8) Any other best management practice approved by the city.
4.
 - a. New facilities which handle hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.
 - b. New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems.
 - c. New hazardous waste treatment or disposal facilities are prohibited.

D. *Exemptions.* The following uses shall be exempted:

1. Land uses existing prior to the adoption of this ordinance.
2. Mining activities permitted by the Department of Natural Resources under the Surface Mining Act.
3. Utilities from the stream corridor buffer and setback area provisions in accordance with the following conditions if the utilities to be located in the buffer or setback areas cannot feasibly be located outside these areas:
 - a. The utilities shall be located as far from the stream bank as reasonably possible.
 - b. The installation and maintenance of the utilities shall be such to protect the integrity of the buffer and setback areas as best as reasonably possible.
 - c. The utilities shall not impair the quality of the drinking water stream.
4. Specific forestry and agricultural activities in the stream corridor buffer and setback areas in accordance with the following conditions:

- a. The activity shall be consistent with best management practices established by the Georgia Forestry Commission or the Georgia Department of Agriculture.
 - b. The activity shall not impair the quality of the drinking water stream.
- E. *Administration.* Administration, enforcement, review and permitting shall be as per Section 4.4 of this Code.

All development activities or site work conducted after approval of the site plan shall conform to the specifications of said site plan. Changes to the approved plans must be approved by the Director.

The following activities and developments are exempt from the requirement for detailed site plans:

- 1. Detached 'For-Sale' dwellings constructed within a subdivision of fewer than five parcels.
 - 2. Repairs to a facility that is part of a previously approved and permitted development.
 - 3. Construction of minor structures, such as sheds or additions to residences.
 - 4. Commercial development of under 800 square feet within the Central Business District.
- F. *Suspension, Revocation.* The Director may suspend or revoke a permit if she finds that the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the permit.

3.3.7 Groundwater recharge areas.

A. Definitions.

Aquifer. Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.

Drastic. The standardized system for evaluating groundwater pollution potential using the hydro geologic settings described in U.S. Environmental Protection Agency document EPA-600-2-87-035.

Pollution Susceptibility. The relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, application of chemicals and other human activities in the recharge area.

Pollution Susceptibility Map. The relative vulnerability to pollution prepared by the Department of Natural Resources, using the DRASTIC methodology. (Georgia Department of Natural Resources Hydrologic Atlas 20: Groundwater Pollution Susceptibility Map of Georgia)

Recharge Area. Any portion of the earth's surface, where water infiltrates into the ground to replenish an aquifer.

Significant Recharge Areas. Those areas mapped by the Georgia Department of Natural Resources in Hydrologic Atlas 18 (1989 edition).

Establishment of the Groundwater Recharge Area Protection District. The Groundwater Recharge Area District is hereby established which shall correspond to all lands within the jurisdiction of the City of Alpharetta, Georgia that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 edition. Said map is hereby adopted and made a part of this ordinance.

Determination of Pollution Susceptibility. Each recharge area shall be determined to have a pollution susceptibility of high, medium, or low based on the Georgia Pollution Susceptibility Map, Hydrologic Atlas 20, 1992 edition. Said map is hereby adopted and made a part of this ordinance.

B. Protection Criteria.

1. No construction may proceed on a building to be served by a septic tank unless the Fulton County Health Department approves the proposed septic tank installations as meeting the requirements of the Georgia Department of Human Resource for On-Site Sewage Management (hereinafter DHR Manual), and Sections B. and C. below.
2. New homes served by a septic tank/drain field system shall be on lots having minimum size limitations as follows, based on application of Table MT-1 of the DHR Manual (hereinafter DHR Table MT-1). The minimums set forth in Table MT-1 may be increased further based on consideration of other factors (set forth in Sections A—F) of the DHR Manual.
 - a. 150% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a high pollution susceptibility area;
 - b. 125% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a medium pollution susceptibility area;
 - c. 110% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a low pollution susceptibility area.
3. New agricultural waste impoundment sites shall be lined if they are within a high pollution susceptibility area; a medium pollution susceptibility area and exceed 15 acres; or a low pollution susceptibility area and exceed 50 acres. As a minimum, the liner shall be constructed of compacted clay having a thickness of one-foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm/sec or other criteria established by the Natural Resource and Conservation Service.
4. New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall have secondary containment for 110% of the volume of such tanks or 110% of the

volume of the largest tank in a cluster of tanks. Such tanks used for agricultural purposes are exempt, provided they comply with all federal requirements.

5. New facilities that handle hazardous materials of the types listed in section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and in amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and local fire code requirements.
 6. Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.
- C. Exemptions.
1. Any lot of record approved prior to the adoption of this ordinance is exempt from the minimum lot size requirements contained in [Article IV] Sections IV.B. and C. of this ordinance.
- D. Administration, plan review and permitting procedures are provided for in Section 4.4 of this Code.
1. The following activities and developments are exempt from the requirement for detailed site plans:
 - a. Detached 'For-Sale' dwellings constructed within a subdivision of fewer than five parcels.
 - b. Repairs to a facility that is part of a previously approved and permitted development.
 - c. Construction of minor structures, such as sheds or additions to residences.

3.3.8 Variances from requirements applicable to sections 3.3.2, 3.3.3, 3.3.4, 3.3.6, and 3.3.7.

- A. The City may grant a variance in accordance with Section 5.2 if exceptional circumstances applicable to a site exist such that strict adherence to the provisions of this Ordinance will result in unnecessary hardship and will not fulfill the intent of the Ordinance.
- B. In order to have a variance considered, the applicant shall submit a written request to the City identifying the specific variance sought and the reasons that the variance should be granted. The written request shall include supporting data and all other information necessary to evaluate the proposed variance.
- C. The City will conduct a review of the request for a variance within fifteen (15) working days of receiving the request.

3.3.9 Violations, enforcement and penalties.

Any action or inaction which violates the provisions of [Section 3.3](#) of this ordinance or the requirements of an approved [site plan](#), stormwater management plan, [report](#), or permit, may be subject to the enforcement actions outlined in this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this Section or may be restrained by injunction or otherwise abated in a manner provided by law. The imposition of any of the penalties described below shall not prevent such equitable relief.

In the event the violation constitutes an immediate danger to public health or public safety, representatives of the City are authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The City is authorized to seek costs of the abatement as outlined in this Section.

- A. *Notice of Violation.* If the City determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured a permit therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.
 1. The notice of violation shall contain:
 - a. The name and address of the owner or the applicant or the responsible person;
 - b. The address or other description of the site upon which the violation is occurring;
 - c. A statement specifying the nature of the violation;
 - d. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action [the City shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) to cure the violation];
 - e. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed and the City's intended action; and
 - f. A statement that the determination of violation may be appealed to the City of Alpharetta by filing a written notice of appeal within [thirty \(30\)](#) days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient).
 2. Such notice may require without limitation:
 - a. The performance of monitoring, analyses, and reporting;
 - b. The elimination of illicit discharges and illegal connections;
 - c. That violating discharges, practices, or operations shall cease and desist;
 - d. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - e. Payment of costs to cover administrative and abatement costs; and,
 - f. The implementation of pollution prevention practices.

- B. *Appeal of Notice of Violation.* Any person receiving a Notice of Violation may appeal the determination of the City in accordance with Section 4.5 Appeals. The notice of appeal must be received within thirty (30) days from the date of the Notice of Violation. Hearing on the appeal before the Zoning Board of Appeals of their designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the appropriate authority or their designee shall be final.
- C. *Enforcement Measures After Appeal.* If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within ten (10) days of the decision of the appropriate authority upholding the decision of the City, then representatives of the City may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.
- D. *Costs of Abatement of the Violation.* Within thirty (30) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within fifteen (15) days of such notice. If the amount due is not paid within thirty (30) days after receipt of the notice, or if an appeal is taken, within thirty (30) days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the City by reason of such violation.

- E. *Penalties.* In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten (10) days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hour notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City may take any one or more of the following actions or impose any one or more of the following penalties.
1. *Stop Work Order*—The City may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
 2. *Withhold Certificate of Occupancy*—The City may refuse to approve a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
 3. *Suspension, Revocation or Modification of Permit*—The City may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated [upon such conditions as the City may deem necessary] to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
 4. *Penalties.*

- a. In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten (10) days, or such greater period as the City shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hour notice shall be sufficient), after the City has taken one or more of the actions described above, the City may impose a penalty not to exceed \$2,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
 - b. For intentional and flagrant violations of this ordinance, the City may issue a citation to the applicant or other responsible person, requiring such person to appear in any court of competent jurisdiction to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$2,000 or imprisonment for 30 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
 - c. Each violation of this Ordinance is subject to a penalty not to exceed two thousand dollars (\$2,000.00) or thirty (30) days in the City's jail.
 - (1) The City may institute appropriate actions or proceedings at law or equity for the enforcement of this Ordinance;
 - (2) Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, or other appropriate forms of remedy or relief;
 - (3) Each day of noncompliance is considered a separate offense; and
 - (4) Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation, including application for injunctive relief.
 - d. Any person who undertakes any development activity requiring a stormwater management plan hereunder without first submitting the plan for review and approval shall pay to the City, in addition to any permit or inspection fee, an administrative fee of five thousand dollars (\$5,000.00).
 - e. The determination by the City that a violation of this Ordinance has occurred shall be conclusive and final unless the accused violator submits a written request for a hearing within seven (7) days of the violation notice being served.
- F. *Violations Deemed a Public Nuisance.* In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief as provided by law.
- G. *Remedies Not Exclusive.* The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable Federal, State or local law and the City of Alpharetta may seek cumulative remedies.

The City may recover attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses

SECTION 3.4 - FLOODPLAIN MANAGEMENT

3.4.1 General.

A. *Introduction.* It is hereby determined that:

The flood hazard areas of the City are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

Flood hazard areas can serve important stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological purposes when permanently protected as undisturbed or minimally disturbed areas.

Effective floodplain management and flood hazard protection activities can (1) Protect human life and health; (2) Minimize damage to private property; (3) Minimize damage to public facilities and infrastructure such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains; and (4) Minimize expenditure of public money for costly flood control projects associated with flooding and generally undertaken at the expense of the general public.

Article IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City establishes this set of floodplain management and flood hazard reduction provisions for the purpose of regulating the use of flood hazard areas. It is determined that the regulation of flood hazard areas and the prevention of flood damages is in the public interest and will minimize threats to public health and safety, as well as to private and public property.

B. *Purpose and Intent.* The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetlands preservation and ecological and environmental protection by provisions designed to:

1. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
2. Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
3. Control filling, grading, dredging and other development which may increase flood damage or erosion;
4. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
5. Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; and,
6. Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological functions of natural floodplain areas.

C. *Applicability.* This ordinance shall be applicable to all areas within the jurisdiction of the City.

D. *Designation of Ordinance Administrator.* The Directors of Community Development and Public Works and their designees are hereby appointed to administer and implement the provisions of this ordinance.

E. *Basis for Establishing Areas of Special Flood Hazard.* Areas of Future-Conditions Flood Hazard and Associated Floodplain Characteristics - Flood Area Maps and Studies.

For the purposes of defining and determining "Areas of Special Flood Hazard," "Areas of Future - conditions Flood Hazard," "Areas of Shallow Flooding," "Base Flood Elevations," "Floodplains," "Future-conditions Flood Elevations," "Future-conditions Floodplains," potential flood hazard or risk categories as shown on FIRM maps, and other terms used in this ordinance, the following documents and sources may be used for such purposes and are adopted by reference thereto:

1. The Flood Insurance Study (FIS), dated June 19, 2020, with accompanying maps and other supporting data and any revision thereto. For those land areas acquired by a municipality through annexation, the current effective FIS and data for Fulton County, dated June 19, 2020, with accompanying maps and other supporting data and any revision thereto.
 2. Other studies which may be relied upon for the establishment of the base flood elevation or delineation of the base or one-percent (100-year) floodplain and floodprone areas including:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, State or Federal agency applicable to the City; and
 - b. Any base flood study conducted by a licensed professional engineer which has been prepared utilizing FEMA approved methodology and approved by the City.
 3. Other studies which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood-prone areas including:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, State or Federal agency applicable to the City; and
 - b. Any future-conditions flood study conducted by a licensed professional engineer which has been prepared utilizing FEMA approved methodology approved by the City.
 4. The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the Public Works Department.
- F. *Compatibility with Other Regulations.* This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by another ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.
- G. *Severability.* If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.
- H. *Warning and Disclaimer of Liability.* The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

3.4.2 Definitions.

Addition means any walled and roofed expansion to the perimeter or height of a building.

Adjacent means those areas located within 200 horizontal feet (or greater as determined by the City) from the future-conditions floodplain boundary that are at or lower in elevation than either three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is

higher, unless the area is hydraulically independent (meaning absolutely no connection to the flooding source such as through pipes, sewer laterals, down drains, foundation drains, ground seepage, overland flow, gated or valved pipes, excavated and backfilled trenches, etc. with no fill or other manmade barriers creating the separation).

Appeal means a request for a review of the Directors of Community Development and Public Works' interpretation of any provision of this ordinance.

Area of Future-conditions Flood Hazard means the land area that would be inundated by the one-percent-annual-chance flood based on future-conditions hydrology (100-year future-conditions flood).

Area of Shallow Flooding means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater chance of flooding to an average depth of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard means the land area subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation designated as Zones A, A1-30, A-99, AE, AO, AH, and AR on a community's Flood Insurance Rate Map (FIRM).

Accessory Structure or Facility means a structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the primary structure.

Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Base Flood Elevation means the highest water surface elevation anticipated at any given location during the base flood.

Basement means any area of a building having its floor subgrade below ground level on all sides.

Building has the same meaning as "Structure".

Critical Facility means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

Development means any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations or storage of equipment or materials.

Elevated Building means a non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Existing Construction means any structure for which the "start of construction" commenced before December 17, 1987, the effective date of the initial floodplain management ordinance adopted by the City as a basis for its participation in the National Flood Insurance Program (NFIP).

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before December 17, 1987, the effective date of the initial floodplain management ordinance adopted by the City as a basis for its participation in the National Flood Insurance Program (NFIP).

Expansion to an Existing Manufactured Home Park or Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

Flood or *Flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) the overflow of inland or tidal waters; or
- (b) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map or *FIRM* means an official map of a community, issued by the FEMA, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood Insurance Study or *FIS* means the official report by the FEMA providing an examination, evaluation, and determination of flood hazards and corresponding flood profiles and water surface elevations of the base flood.

Floodplain or *Flood-prone Area* means any land area susceptible to flooding.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway or *Regulatory Floodway* means the channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally Dependent Use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Future-conditions Flood means the flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Future-conditions Flood Elevation means the highest water surface elevation anticipated at any given location during the future-conditions flood.

Future-conditions Hydrology means the flood discharges associated with projected land-use conditions based on a community's zoning maps, comprehensive land-use plans, and/or watershed study projections, and without consideration of the projected future construction of stormwater management (flood detention) structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

Highest Adjacent Grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Historic Structure means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places by communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior, or
 - 2. Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this code.

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when attached to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of manufacture. The term also includes parked trailers, travel trailers and similar transportable structures placed on a site for one hundred eighty (180) consecutive days or longer and intended to be improved property. The term does not include a "recreational vehicle".

Mean Sea Level means the datum to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced. For purposes of this ordinance the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988.

New Construction means any structure (see definition) for which the "start of construction" commenced on or after December 17, 1987 [the effective date of the first floodplain management ordinance adopted by the City as a basis for participation in the National Flood Insurance Program (NFIP)] and includes any subsequent improvements to the structure.

New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after December 17, 1987 [the effective date of the initial floodplain management ordinance adopted by the City as a basis for participation in the National Flood Insurance Program (NFIP)].

North American Vertical Datum (NAVD) of 1988 is a vertical control used as a reference for establishing varying elevations within the floodplain.

Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Permit means the permit issued by the City to the applicant which is required for undertaking any land development activity.

Recreational Vehicle means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by light duty truck; and,
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Repetitive Loss means flood related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Site means the parcel of land being developed, or the portion thereof on which the land development project is located.

Start of Construction includes substantial improvement, and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of the structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor

does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building (including a gas or liquid storage tank), that is principally above ground, or a manufactured home.

Subdivision means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to *its* before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. This term also includes Repetitive Loss.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement to a structure, taking place during a 10-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the building prior to the improvement. The market value of the building means (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include those improvements of a structure required to comply with existing state and local health, sanitary, or safety code specifications which are the minimum necessary to assure safe living conditions, which have been identified by the Code Enforcement Official. The term does also not include any alterations of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Substantially Improved Existing Manufactured Home Park or Subdivision means the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Variance means a grant of relief from the requirements of this ordinance.

Violation means the failure of a structure or other development to be fully compliant with the requirements of this ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

3.4.3 Permit procedures and requirements.

- A. *Permit Application Requirements.* No owner or developer shall perform any land development activities on a site where an Area of Special Flood Hazard or Area of Future-conditions Flood Hazard is located without first meeting the requirements of this ordinance prior to commencing the proposed activity.

Unless specifically excluded by this ordinance, any owner or developer desiring a permit for a land development activity shall submit to the City a permit application on a form provided by the City for that purpose.

No permit will be approved for any development activities that do not meet the requirements, restrictions and criteria of this ordinance.

- B. *Floodplain Management Plan Requirements.* An application for a development project with any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard located on the site shall include a floodplain management/flood damage prevention plan. This plan shall include the following items:

1. Site plan drawn to scale, which includes but is not limited to:
 - a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;

- b. For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one foot contour elevations throughout the building site;
 - c. Proposed locations of water supply, sanitary sewer, and utilities;
 - d. Proposed locations of drainage and stormwater management facilities;
 - e. Proposed grading plan;
 - f. Base flood elevations and future-conditions flood elevations;
 - g. Boundaries of the base flood floodplain and future-conditions floodplain;
 - h. If applicable, the location of the floodway; and
 - i. Certification of the above by a licensed professional engineer or surveyor.
2. Building and foundation design detail, including but not limited to:
 - a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
 - b. Elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
 - c. Certification that any proposed non-residential floodproofed structure meets the criteria in Subsection 3.4.5.B.2;
 - d. For enclosures below the base flood elevation, location and total net area of flood openings as required in Subsection 3.4.5.A.5; and
 - e. Design plans certified by a licensed professional engineer or architect for all proposed structure(s).
 3. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
 4. Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre- and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, Special Flood Hazard Areas and regulatory floodways, flood profiles and all other computations and other information similar to that presented in the FIS;
 5. Copies of all applicable State and Federal permits necessary for proposed development, including but not limited to permits required by Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334; and
 6. All appropriate certifications required under this ordinance.

The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.

- C. *Construction Stage Submittal Requirements.* For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder shall provide to the Director of Community Development a certified as-built Elevation Certificate or Floodproofing Certificate for non-residential construction including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed. A final Elevation Certificate shall be provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. When floodproofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a licensed professional engineer or architect and certified by same using the FEMA Floodproofing

Certificate. This certification shall also include the design and operation/maintenance plan to assure continued viability of the floodproofing measures.

Any work undertaken prior to approval of these certifications shall be at the permit holder's risk. The Director of Community Development shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit certification or failure to make the corrections required hereby shall be caused to issue a stop work order for the project.

D. *Duties and Responsibilities of the Directors of Community Development and Public Works.* Duties of the Directors of Community Development and Public Works shall include, but shall not be limited to:

1. Review all land development applications and permits to assure that the requirements of this ordinance have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
2. Review proposed development to assure that all necessary permits from governmental agencies from which approval is required by Federal or State law, including but not limited to section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334;
3. When Base Flood Elevation data or floodway data have not been provided, then the City ~~Engineer~~ shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, state or other sources in order to meet the provisions of Sections 3.4.4 and 3.4.5;
4. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new and substantially improved structures;
5. Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been floodproofed;
6. When floodproofing is utilized for a non-residential structure, the Director of Community Development shall review the design and operation/maintenance plan and obtain certification from a licensed professional engineer or architect;
7. Notify affected adjacent communities and the Georgia Department of Natural Resources (GA DNR) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
8. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions) the City ~~Engineer~~ shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this ordinance. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps;
9. All records pertaining to the provisions of this ordinance shall be maintained in the office of the Public Works or Community Development Departments and shall be open for public inspection.
10. Coordinate all FIRM revisions with the GA DNR and FEMA; and
11. Review variance applications and make recommendations to the City Council, Code Enforcement Board, Board of Zoning Appeals, and Planning Commission.

3.4.4 Standards for development.

A. *Definition of Floodplain Boundaries.*

1. Studied "A" zones, as identified in the FIS, shall be used to establish base flood elevations whenever available.

2. For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations shall be provided by the City. If future-conditions elevation data is not available from the City, then it shall be determined by a licensed professional engineer using a method approved by FEMA and the City.

B. *Definition of Floodway Boundaries.*

1. The width of a floodway shall be determined from the FIS or FEMA approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall be provided by the City. If floodway data is not available from the City, then it shall be determined by a licensed professional engineer using a method approved by FEMA and the City.

C. *General Standards.*

1. No development shall be allowed within any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard that could result in any of the following:
 - a. Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
 - b. Reducing the base flood or future-conditions flood storage capacity;
 - c. Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or,
 - d. Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.
2. Any development within any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard allowed under 3.4.4C1 shall also meet the following conditions:
 - a. Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood, and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;
 - b. Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
 - c. Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;
 - d. Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of Section 3.4.4.D;
 - e. Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, shall be located and constructed to minimize or eliminate infiltration or contamination from flood waters; and
 - f. Any significant physical changes to the base flood floodplain shall be submitted as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the City using the Community Concurrence forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of development, the applicant shall submit as-built surveys and plans for a final Letter of Map Revision (LOMR).

- D. *Engineering Study Requirements for Floodplain Encroachments.* An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and floodways. This study shall be prepared by a licensed professional engineer and made a part of the application for a permit. This information shall be submitted to and approved by the City prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include:
1. Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;
 2. Step-backwater analysis, using a FEMA-approved methodology approved by the City. Cross-sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;
 3. Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;
 4. The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.
- E. *Floodway Encroachments.* Located within Areas of Special Flood Hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity flood waters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore the following provisions shall apply:
1. Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in 2 below.
 2. Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment will not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A licensed professional engineer must provide supporting technical data and certification thereof; and
 3. If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the City until an affirmative Conditional Letter of Map Revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the City.
- F. *Maintenance Requirements.* The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained. The City may direct the property owner (at no cost to the City) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the City.

3.4.5 Provisions for flood damage reduction.

In all Areas of Special Flood Hazard and Areas of Future-conditions Flood Hazard the following provisions apply:

- A. *General Standards.*

1. New construction and substantial improvements of structures (residential or non-residential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 3.4.4.C, 3.4.4.D and 3.4.4.E have been met;
2. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. Elevated Buildings - All new construction and substantial improvements that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - a. Designs for complying with this requirement must either be certified by a licensed professional engineer or architect to meet or exceed the following minimum criteria:
 - (1) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (2) The bottom of all openings shall be no higher than one foot above grade; and
 - (3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
 - b. So as not to violate the "Lowest Floor" criteria of this ordinance, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and,
 - c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.
6. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;
7. Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces;
8. All proposed development shall include adequate drainage and stormwater management facilities per the requirements of the City to reduce exposure to flood hazards.
9. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
10. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
11. On-site waste disposal systems shall be located and constructed to avoid impairment to or contamination from such systems during flooding;
12. Other public utilities such as gas and electric systems shall be located and constructed to avoid impairments to them, or public safety hazards from them, during a flood;

13. Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this ordinance, shall be undertaken only if the non-conformity is not furthered, extended or replaced.
 14. If the proposed development is located in multiple flood zones or multiple base flood elevations cross the proposed site, the higher or more restrictive base flood elevation or future condition flood elevation and development standards shall take precedence.
 15. When only a portion of a proposed structure is located within a flood zone or the future conditions floodplain, the entire structure shall meet the requirements of this ordinance; and
 16. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall be reasonably safe from flooding:
 - a. All such proposals shall be consistent with the need to minimize flood damage within the flood-prone area;
 - b. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage shall be provided to reduce exposure to flood hazards.
- B. *Building Standards for Structures and Buildings Within the Future-Conditions Floodplain.*
1. *Residential Buildings.*
 - a. *New construction.* New construction of principal residential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met. If all requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met, all new construction shall have the lowest floor, including basement, elevated no lower than three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Subsection 3.4.5.A.5.
 - b. *Substantial Improvements.* Substantial improvement of any principal residential structure shall have the lowest floor, including basement, elevated no lower than three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Subsection 3.4.5.A.5.
 2. *Non-Residential Buildings.*
 - a. *New construction.* New construction of principal non-residential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met. If all of the requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met, all new constructions shall have the lowest floor, including basement, elevated no lower than one (1) foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Section 3.4.5.A.5. New construction that has met all of the requirements of Section 3.4.4.C, 3.4.4.D, and 3.4.4.E may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one (1) foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that

the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Chief Building Official using the FEMA Floodproofing Certificate along with the design and operation/maintenance plan.

- b. **Substantial Improvements.** Substantial improvement of any principal non-residential structure located in AI-30, AE, or AH zones, may be authorized by the Director of Community Development to be elevated or floodproofed. Substantial improvements shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should the solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 3.4.5.A.5. Substantial improvements may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one (1) foot above the base flood elevation, or at least as high as the future-conditions elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Chief Building Official using the FEMA Floodproofing Certificate along with the design and operation/maintenance plan.
3. **Accessory Structures and Facilities.** Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, recreational facilities and other similar non-habitable structures and facilities) which meet the requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E and are permitted to be located within the limits of the future-conditions floodplain shall be constructed of flood resistant materials and designed to provide adequate flood openings in accordance with Subsection 3.4.5.A.5 and be anchored to prevent flotation, collapse, and lateral movement of the structure.
4. **Standards for Recreational Vehicles.**
 - a. All recreational vehicles placed on sites must either:
 - (1) Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
 - (2) Meet all the requirements for "Residential Buildings—Substantial Improvements" (Subsection 3.4.5.B.1), including the anchoring and elevation requirements.
5. **Standards for Manufactured Homes.**
 - a. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met. If all the requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met, all new construction and substantial improvement shall have the lowest floor, including basement, elevated no lower than three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with section 3.4.5.A.5.
 - b. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision shall be elevated so that either:

- (1) The lowest floor of the manufactured home is elevated no lower than three (3) feet above the level of the base flood elevation, or one (1) foot above the future-conditions flood elevation, whichever is higher; or
 - (2) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
 - c. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with the standards of Subsection 3.4.5.A.7.
- C. *Building Standards for Structures and Buildings Authorized Adjacent to the Future-Conditions Floodplain.*
1. *Residential Buildings* - For new construction and substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, shall be at least three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with Section 3.4.5.A.5.
 2. *Non-Residential Buildings* - For new construction and substantial improvement of any principal non-residential building, the elevation of the lowest floor, including basement and access to the building, shall be at least one (1) foot above the level of the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with Section 3.4.5.A.5. Non-residential buildings may be floodproofed in lieu of elevation.
- D. *Building Standards for Residential Single-Lot Developments on Streams Without Established Base Flood Elevations and Floodway (A-Zones).* For a residential single-lot development not part of a subdivision that has Areas of Special Flood Hazard, where streams exist but no base flood data have been provided (A-Zones), the Director of Community Development or Public Works shall review and reasonably utilize any available scientific or historic flood elevation data available from a Federal, State, or other source, in order to administer the provisions and standards of this Section. If data are not available from these sources, the following provisions shall apply:
1. No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or fifty (50) feet from the top of the bank of the stream, whichever is greater.
 2. In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided for flood prone enclosures in accordance with Subsection 3.4.5.A.5.
- E. *Building Standards for Areas of Shallow Flooding (AO-Zones).* Areas of Special Flood Hazard may include designated "AO" shallow flooding areas. These areas have base flood depths of one (1) to three (3) feet above ground, with no clearly defined channel. In these areas the following provisions apply:
1. All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the flood depth number in feet specified on the Flood Insurance Rate Map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three (3) feet above the highest adjacent

grade. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided in accordance with standards of Subsection 3.4.5.A.5.

2. New construction and substantial improvement of a non-residential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one (1) foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice, and shall provide such certification to the Chief Building Official using the FEMA Floodproofing Certificate along with the design and operation/maintenance plan; and
3. Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

F. *Standards for Subdivisions of Land.*

1. All subdivision proposals shall identify the Areas of Special Flood Hazard and Areas of Future-conditions Flood Hazard therein and provide base flood elevation data and future-conditions flood elevation data;
2. All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required;
3. All subdivision plans will provide the elevations of proposed structures in accordance with Section 3.4.3.B.2.

G. *Critical Facilities.* Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area preferably outside the 0.2% annual chance floodplain. Construction of new critical facilities may be permissible within the 0.2% annual chance floodplain if feasible alternative sites are unavailable. Access routes elevated to or above the level of base flood elevation and future flood elevation shall be provided to all critical facilities to the maximum extent possible.

3.4.6 Variance procedures.

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity, or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this ordinance.

1. Requests for variances from the requirements of this ordinance shall be submitted to the City. All such requests shall be heard and decided in accordance with procedures to be published in writing by the City. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
2. Any person adversely affected by any decision of the City shall have the right to appeal such decision to the Board of Zoning Appeals as established by the City in accordance with procedures to be published in writing by the Board of Zoning Appeals. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
3. Any person aggrieved by the decision of the Board of Zoning Appeals may appeal such decision to the superior court, as provided in Section 5-4-1 of the Official Code of Georgia Annotated.
4. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as historic structure and the variance issued shall be the minimum necessary to preserve the historic character and design of the structure.

5. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Article are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
6. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
7. In reviewing such requests, the City and Board of Zoning Appeals shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this ordinance.
8. Conditions for Variances:
 - a. A variance shall be issued only when there is:
 - (i) a finding of good and sufficient cause;
 - (ii) a determination that failure to grant the variance would result in exceptional hardship; and,
 - (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or the creation of a nuisance.
 - b. The provisions of this ordinance are minimum standards for flood loss reduction, therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - c. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance resulting from the lowest floor elevation being placed below the base flood elevation will be commensurate with the increased risk to life and that such costs may be as high as \$25 for each \$100 of insurance coverage provided.
 - d. The Directors of Community Development and Public Works shall maintain the records of all variance actions, both granted and denied, and report them to the Federal Emergency Management Agency upon request.
9. Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the City and Board of Zoning Appeals shall deem necessary for the consideration of the request.
10. Upon consideration of the factors listed above and the purposes of this ordinance, the City and the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
11. Variances will not be issued "after the fact."

3.4.7 Violations, enforcement and penalties.

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions outlined in this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief.

- A. *Notice of Violation.* If the City determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without

having first secured a permit therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

1. The name and address of the owner or the applicant or the responsible person;
2. The address or other description of the site upon which the violation is occurring;
3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action;
5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
6. A statement that the determination of violation may be appealed to the City by filing a written notice of appeal within fifteen (15) days after the notice of violation.

B. *Penalties.* In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten (10) days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City may take any one or more of the following actions or impose any one or more of the following penalties.

1. *Stop Work Order* - The City may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
2. *Withhold Certificate of Occupancy* - The City may refuse to approve a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
3. *Suspension, Revocation or Modification of Permit* - The City may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the City may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. *Civil Penalties* - In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten (10) days, or such greater period as the City shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient), after the City has taken one or more of the actions described above, the City may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

5. *Criminal Penalties* - For intentional and flagrant violations of this ordinance, the City may issue a citation to the applicant or other responsible person, requiring such person to appear in any court of competent jurisdiction to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

EXHIBIT “B”

SECTION 3.3 - ~~STORM WATER~~STORMWATER MANAGEMENT—GENERAL

3.3.1 ~~General.~~Post-Construction Stormwater Management for New Development and Redevelopment.

A. ~~Introduction.~~

It is hereby determined that:

~~Land development projects and other land use conversions, and their associated changes to land cover, permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, which in turn increase flooding, stream channel erosion, and sediment transport and deposition;~~

~~Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters;~~

~~The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;~~

~~These adverse impacts can be controlled and minimized through the regulation of stormwater runoff quantity and quality from new development and redevelopment, by the use of both structural facilities as well as nonstructural measures, such as the conservation of open space and greenspace areas. The preservation and protection of natural area and greenspace for stormwater management benefits is encouraged through the use of incentives or "credits." The Georgia Greenspace Program provides a mechanism for the preservation and coordination of those greenspace areas which provide stormwater management quality and quantity benefits;~~

~~Localities in the State of Georgia are required to comply with a number of both State and Federal laws, regulations and permits which require a locality to address the impacts of post-development stormwater runoff quality and nonpoint source pollution;~~

~~Therefore, the City of Alpharetta has established this set of stormwater management policies to provide reasonable guidance for the regulation of post-development stormwater runoff for the purpose of protecting local water resources from degradation. It has determined that it is in the public interest to regulate post-development stormwater runoff discharges in order to control and minimize increases in stormwater runoff rates and volumes, post-construction soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with post-development stormwater runoff.~~

~~B. *Purpose and Intent.* The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development and redevelopment. It has been determined that proper Proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. Additionally, the city is required to comply with several State and Federal laws, regulations, and permits and the requirements of the Metropolitan North Georgia Water Planning District's regional water plan related to managing the water quality, velocity, and quality of post-construction runoff. This ordinance seeks to meet that purpose through the following objectives:~~

- ~~1. Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;~~
- ~~2. Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, streambank erosion, nonpoint source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats; to meet this purpose, where practicable, the use of on-site runoff reduction measures is encouraged, including but not limited to preservation of~~

~~existing natural areas; bioretention areas; permeable pavement for parking; vegetated swales; cisterns; greenroofs; and underground detention;~~

- ~~3. Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;~~
- ~~4. Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;~~
- ~~5. Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of greenspace and other conservation areas, to the maximum extent practicable. Coordinate site design plans, which include greenspace, with the City's greenspace protection plan;~~
- ~~6. Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and,~~
- ~~7. Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow-up.~~

C.—B. Definitions.

Administrator. The person appointed to administer and implement this section on Post-Construction Stormwater Management for New Development and Redevelopment in accordance with Section 3.3.1.

Agriculture Use. The establishment, cultivation, or harvesting of products of the field or orchard; the preparation and planting of pasture land; farm ponds; and the construction of farm buildings.

ASPH. The latest edition of the Alpharetta Stormwater Policy Handbook and all its appendices.

Applicant. A person submitting a land development application for approval.

BMP or Best Management Practices. Both structural devices to store or treat stormwater runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the State of Georgia.

BMP landscaping plan. A design for vegetation and landscaping that is critical to the performance and function of the BMP including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

Channel. A natural or artificial watercourse with a definite bed and banks that conveys continuously or periodically flowing water.

Conservation Easement. An agreement between a land owner and the City of Alpharetta or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

Detention. The temporary storage of stormwater runoff in a stormwater detention facility for the purpose of controlling the peak discharge.

Detention Facility. A structure designed for the storage and gradual release of stormwater runoff at controlled rates.

Developer. A person who undertakes land development activities.

Development. New development or redevelopment..

Drainage Easement. An easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Extended Detention. The storage of stormwater runoff for an extended period of time.

Extreme Flood Protection. Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Flooding. A volume of surface water that exceeds the banks or walls of a BMP or channel and overflows onto adjacent lands.

GSMM. The latest edition of the Georgia Stormwater Management Manual, Volume 2: Technical Handbook, and its Appendices.

Hotspot. A land use or activity on a site that has the potential to produce higher than normally found levels of pollutants in stormwater runoff. As defined by the administrator, hotspot land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities (both permitted under the Industrial Stormwater General Permit and others), material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

Hydrologic Soil Group (HSG). A Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

Impervious Surface. A surface composed of any material that significantly impedes or prevents the natural infiltration of water into the soil. Pervious paving and green roofs are not considered impervious cover only if they have a stormwater design and inspection and maintenance plan.

Industrial Stormwater General Permit. The National Pollutant Discharge Elimination System (NPDES) permit issued by the Georgia Environmental Protection Division to an industry for stormwater discharges associated with industrial activity. The permit regulates pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies based on Standard Industrial Classification (SIC) Code.

Infiltration. The process of percolating stormwater runoff into the subsoil.

Inspection and Maintenance Agreement. A written agreement providing for the long-term inspection and maintenance of stormwater management system and its components on a site.

Jurisdictional Wetland. Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Land Development. Any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

Land Development Application. The application for a land development permit on a form provided by the city along with the supporting documentation required in Section 3.3.1 J.

Land Development Permit. The authorization necessary to begin construction-related, land disturbing activity.

Land Disturbance Activities. Those actions or activities which comprise, facilitate or result in land disturbance.

Land Disturbance Activity. Any activity which may result in soil erosion from water or wind and the movement of sediments into state water or onto lands within the state, including but not limited to clearing, dredging, grading, excavating, or filling of land. Land disturbing activity does not include agricultural practices as described O.C.G.A. 12-7-7(5) or silvicultural land management activities as described in O.C.G.A. 12-7-17(6) within areas zoned for these activities.

Linear Feasibility Program. A feasibility program developed by the city and submitted to the Georgia Environmental Protection Division, which sets reasonable criteria for determining when implementation of stormwater management standards for linear transportation projects being constructed by the city is infeasible.

Linear Transportation Projects. Construction projects on traveled ways including but not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

Maintenance. Any action necessary to preserve stormwater management facilities in proper working condition, in order to serve the intended purposes set forth in this Ordinance and to prevent structural failure of such facilities.

MS4 Permit. The NPDES permit issued by Georgia Environmental Protection Division for discharges from the city's municipal storm sewer system.

New Development. A land development activity, structural development (construction, installation, or expansion of a building or other structure), and/or creation of impervious surfaces on a previously undeveloped site.

Nonpoint Source Pollution. A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Nonstructural Stormwater Management Practice or Nonstructural Practice. Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

Off-Site Facility. A stormwater management facility located outside the boundaries of the site.

On-Site Facility. A stormwater management facility located within the boundaries of the site.

Overbank Flood Protection. Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain).

Owner. The legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Post-construction Stormwater Management. Stormwater best management practices that are used on a permanent basis to control and treat runoff once construction has been completed in accordance with a stormwater management plan.

Post-development. The conditions anticipated to exist on a site immediately after completion of the proposed development.

Pre-development Hydrology. Is (a) for new development, the runoff curve number determined using natural conditions hydrologic analysis based on the natural, undisturbed condition of the site immediately before implementation of the proposed development (CN=55); and (b) for redevelopment, the existing conditions hydrograph may take into account the existing development when defining the runoff curve number and calculating existing runoff, unless the existing development causes a negative impact on downstream property as defined by the city.

Previously Developed Site. A site that has been altered by paving, construction, and/or land disturbing activity.

Private. Property or facilities owned by individuals, corporations, and other organizations and not by city, state, or federal government.

Project. A land development project.

Redevelopment. Structural development (construction, installation, or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious surfaces not as part of routine maintenance, and land disturbing activities associated with structural or impervious development on a previously developed site. Redevelopment does not include such activities as exterior remodeling where footprint is unaltered (removal and replacement in same location is not considered unaltered).

Regional Stormwater Management Facility or Regional Facility. Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Routine Maintenance. Activities to keep an impervious surface as near as possible to its constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or caused additional nonpoint source pollution.

Runoff. Stormwater runoff.

Runoff Reduction Measures. Preservation of an area's landscape features (vegetation, soils, and natural processes) that help manage and reduce stormwater runoff from a development or redevelopment site. Runoff reduction measures also include structurally engineered practices (such as bioretention areas, bioswales, pervious paving, greenroofs, greenwalls, stormwater street trees, and cisterns) that mimic natural processes to manage stormwater as close to its source as possible and reduce stormwater runoff from the site. In addition to stormwater management, runoff reduction measures can enhance site aesthetics, improve air quality, reduce urban heat island impacts, provide shading, create wildlife habitat, reduce energy consumption, reduce infrastructure costs, and increase property values. Above-ground cisterns require architectural and/or landscape screening that compliments the architecture of the building and is of like or similar materials used in the building's construction. Cisterns and other vertical runoff reduction measures and their screening shall require approval by the Community Development Director.

Site. An area of land where development is planned, which may include all or portions of one or more parcels. For subdivisions or other common plans of development, the site includes all areas of land cover under an applicable land development permit.

Stormwater Better Site Design. Nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

Stormwater Concept Plan. An initial plan for post-construction stormwater management at the site that provides the groundwork for the stormwater management plan including the natural resources inventory, site layout concept, initial runoff characterization, and first round stormwater management system design.

Stormwater Management Plan. A plan for post-construction stormwater management at the site that meets the requirements of Section 3.3.1 H and is included as part of the land development application.

Stormwater Management System. The entire set of non-structural site design features and structural BMPs for collection, conveyance, storage, infiltration, treatment, and disposal of stormwater runoff in a manner designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote public health, safety, and general welfare.

Stormwater Retrofit. A stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

Stormwater Runoff. Flow on the surface of the ground, resulting from precipitation.

Subdivision. The division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

C. Adoption and Implementation of the GSMM; Conflicts and Inconsistencies.

a. In implementing this Article, Alpharetta shall use and require compliance with all relevant design standards, calculations, formulas, methods, and standards from the latest edition of the GSMM (including all related appendices) and the Alpharetta Stormwater Policy Handbook (ASPH). The ASPH provides specific design requirements of the city and clarifies guidance language provided in the GSMM. The policy handbook may be updated and expanded periodically, based on improvements in science, engineering, monitoring, and local maintenance experience. However, failure to update the policy handbook shall not relieve any applicant from the obligation to comply with the requirements of this ordinance and shall not prevent the city from imposing the most current and effective practices. The policy handbook may establish design standards for new development and redevelopment that includes the creation of less than 5,000 square feet of impervious cover or involves land development activity of less than one (1) acre.

b. This Article or Section is not intended to modify or repeal any other Article, Section, ordinance, rule, regulation, or other provision of law, including but not limited to, any applicable stream buffers under state and local laws, and the Georgia Safe Dams Act and Rules for Dam Safety. In the event of any conflict or inconsistency between any provision in the city's MS4 permit and this Article, the provision from the MS4 permit shall control. In the event of any conflict or inconsistency between any provision of this Article and the GSMM, the provision from this Article shall control. In the event of any other conflict or inconsistency between any provision of this Article or Section and any other ordinance, rule, regulation, or other provision of law, the provision that is more restrictive or imposes higher protective standards for human health or the environment shall control.

c. If any provision of this Article or Section is invalidated by a court of competent jurisdiction, such judgement shall not affect or invalidate the remainder of this Article or Section.

D. Designation of Administrator. The Mayor may from time to time appoint someone to administer and implement this Section. Directors of Community Development and Public Works and their designees are appointed to administer and implement the provisions of this ordinance.

E. Applicability. Criteria for Stormwater Management Standards. This Section applies to the following activities:

~~1. This ordinance shall be applicable to all land development, including, but not limited to, site plan applications, subdivision applications, and grading applications, unless exempt pursuant to Subsection b below. These standards apply to any new development or redevelopment site that meets one or more of the following criteria:~~

~~a. New development that creates or adds Runoff reduction and water quality shall be required for any new or redevelopment that includes the creation of 1,000 square feet or greater of new impervious area or that involves land disturbing activity of 1 acre of land or more. Detention (including channel protection) shall be required for any new or redevelopment with an increase of 5,000 square feet of impervious area or more. The extent to which runoff reduction/water quality and detention must be provided (i.e. on new impervious area only, on disturbed area, or on entire site) is based on a tiered approach, and is specified in the City Stormwater Design Manual;~~

~~b. Redevelopment (excluding routine maintenance and exterior remodeling) that creates or adds 1,000 square feet or greater of new impervious area; or redevelopment (excluding routine maintenance or exterior remodeling) that replaces 5,000 square feet or greater of impervious surface area; or redevelopment that involves land disturbance of 1 acre Development or redevelopment that involves land development activities of one acre or more;~~

- c. ~~Any new development or redevelopment, regardless of size, that is defined by the City Engineer or designee to be a hotspot land use; or, New development and redevelopment if~~
 - ~~(i) such new development or redevelopment is part of a subdivision or other common plan of development, and~~
 - ~~(ii) the sum of all associated impervious surfaces are or land disturbing activities that are being developed as part of such subdivision or other common plan of development meets or exceeds the threshold in (a) or (b) above.~~
- d. ~~Any commercial or industrial new development or redevelopment, regardless of size, that is a hotspot land use as defined in this Article; or,~~
- e. ~~Land development activities that are smaller than the minimum applicability criteria set forth in item a above if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules. Linear transportation projects that exceed the threshold in (a) or (b) above.~~

~~2-F. Exemptions from Stormwater Management Standards of Section 3.3.1. This Section does not apply to the following activities: The following activities are exempt from this ordinance:~~

- a. ~~Land disturbing activity conducted by local, state, authority, or federal agencies, solely to respond to an emergency need to protect life, limb, or property or conduct emergency repairs; Individual 'For-Sale' dwelling or duplex residential lots that are not part of a subdivision or phased development project;~~
- b. ~~Land disturbing activity that consists solely of cutting a trench for utility work and related pavement replacement (this exemption does not negate the requirement to obtain utility encroachments permits from the city nor does it negate the requirement to get utility locate); Additions or modifications to existing 'For-Sale' dwelling or duplex residential structures;~~
- c. ~~Land disturbing activity conducted by local, state, authority, or federal agencies whose sole purpose is to implement stormwater management or environmental restoration; Agricultural or silvicultural land management activities within areas zoned for these activities; and,~~
- d. ~~Repairs to any stormwater management facility or practice deemed necessary by the City Engineer. Administrator;~~
- e. ~~Agricultural practices as described in O.C.G.A. 12-7-17(5) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in 3.3.1 E a and b;~~
- f. ~~Silviculture land management activities as described in O.C.G.A. 12-7-17(6) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the thresholds in 3.3.1 E a and b;~~
- g. ~~Installations or modifications to existing structures solely to implement Americans with Disabilities Act (ADA) requirements, including but not limited to elevator shafts, handicapped access ramps and parking, and enlarged entrances or exits; and~~
- h. ~~Linear transportation projects being constructed by the city to the extent the administrator determines that the stormwater management standards may be infeasible to apply, all or in part, for any portion of the linear transportation project. For this exemption to apply, an infeasibility report that is compliant with the city linear feasibility program shall be submitted to the administrator that contains adequate documentation to support the evaluation for the applicable portion(s) and any resulting infeasibility determination, if any, by the administrator.~~

~~D. Stormwater Management Manual. The City of Alpharetta will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the Georgia Stormwater Management Manual and the City of Alpharetta Stormwater Management Design~~

~~Manual, for the proper implementation of the requirements of this ordinance. The Public Works Department has developed a City Stormwater Management Design Manual to assist in the design and evaluation of stormwater management facilities and practices. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience. However, the failure to update the manual shall not relieve any applicant from the obligation to comply with the requirements of this ordinance, and shall not prevent the City Engineer from imposing the most current and effective practices. The manual may establish design standards for new development and redevelopment that includes the creation of less than 5,000 square feet of impervious cover or involves land development activity of less than one (1) acre.~~

~~E. *Effective Date.* This Ordinance shall become effective immediately upon adoption.~~

~~(Ord. No. 732, §§ 12—16, 2-6-2017)~~

3.3.2 — Definitions.

~~*Accidental Discharge.* A discharge prohibited by this ordinance which occurs by chance and without planning or thought prior to occurrence.~~

~~*Agriculture Use.* The establishment, cultivation, or harvesting of products of the field or orchard; the preparation and planting of pasture land; farm ponds; and the construction of farm buildings.~~

~~*Applicant.* A person submitting a post-development stormwater management application and plan for approval.~~

~~*Best Management Practices or "BMPs".* A wide range of management procedures, activities, and prohibitions on practices which control the quality and/or quantity of stormwater runoff and which are compatible with the planned land use.~~

~~*Buffer.* With respect to a stream, a natural or enhanced vegetated area, lying adjacent to the stream.~~

~~*Channel.* A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.~~

~~*City of Alpharetta Separate Storm Sewer System.* Any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, City streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is State Waters or is: Owned or maintained by the City of Alpharetta; Not a combined sewer; and Not part of a publicly-owned treatment works.~~

~~*Clean Water Act.* The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.~~

~~*Conservation Easement.* An agreement between a land owner and the City of Alpharetta or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.~~

~~*Construction Activity.* Activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.~~

~~*Detention.* The temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.~~

~~*Detention Facility.* A detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.~~

~~*Developer.* A person who undertakes land development activities.~~

~~**Development.** A land development or land development project.~~

~~**Discharge.** The release of treated or untreated water to the stormwater system.~~

~~**Drainage Easement.** An easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.~~

~~**Easement.** An acquired legal right for a specific use of land owned by others.~~

~~**Erosion and Sedimentation Control Plan.** A plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.~~

~~**Extended Detention.** The detention of stormwater runoff for an extended period, typically 24 hours or greater.~~

~~**Extreme Flood Protection.** Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.~~

~~**Flood or Flooding.** A volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands; or a general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; or the unusual and rapid accumulation or runoff of surface waters from any source.~~

~~**Floodplain.** Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e., the regulatory flood.~~

~~**Hotspot.** An area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.~~

~~**Hydrologic Soil Group (HSG).** A Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.~~

~~**Illegal Connection.** Either of the following:~~

~~Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or~~

~~Any pipe, open channel, drain or conveyance connected to the City of Alpharetta separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.~~

~~**Illicit Discharge.** Any direct or indirect non-stormwater discharge to the City of Alpharetta separate storm sewer system, except as exempted in Section 3.3.9.C. of this ordinance.~~

~~**Impervious Cover.** A manmade structure or surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil below the structure or surface. Impervious surfaces include, but are not limited to, rooftops, buildings, walls, streets and roads, dams, wet extended or micropool detention ponds, and any concrete or asphalt surface. Streets, parking areas, sidewalks, and other surfaces constructed with pervious paving and green roofs shall not be considered impervious cover for the purposes of stormwater calculations in this Section of the UDC if it is a stormwater management practice with a recorded long-term maintenance agreement.~~

~~**Industrial Activity.** Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).~~

~~**Industrial Stormwater Permit.** A National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.~~

~~**Infiltration.** The process of percolating stormwater runoff into the subsoil.~~

~~**Inspection and Maintenance Agreement.** A written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.~~

~~**Jurisdictional Wetland.** An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.~~

~~**Land Development.** Any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.~~

~~**Land Development Activities.** Those actions or activities which comprise, facilitate or result in land development.~~

~~**Land Development Project.** A discrete land development undertaking.~~

~~**Land Disturbance.** Any land or vegetation change, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, that do not involve construction, paving or any other installation of impervious cover.~~

~~**Land Disturbance Activity.** Those actions or activities which comprise, facilitate or result in land disturbance.~~

~~**Maintenance.** Any action necessary to preserve stormwater management facilities in proper working condition, in order to serve the intended purposes set forth in this Ordinance and to prevent structural failure of such facilities.~~

~~*National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit.* A permit issued by the Georgia EPD under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.~~

~~*New Development.* A land development activity on a previously undeveloped site.~~

~~*Non-perennial Stream.* Any stream that is not classified as a perennial stream or that the City Engineer determines to be falsely classified as a perennial stream, beginning at: The location of a spring, seep, or groundwater outflow that sustains streamflow; or a point in the stream channel with a drainage area of 25 acres or more; or where evidence indicates the presence of a stream in a drainage area of other than 25 acres, the City of Alpharetta may require field studies to verify the existence of a stream.~~

~~*Nonpoint Source Pollution.* A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.~~

~~*Non-Stormwater Discharge.* Any discharge to the storm drain system that is not composed entirely of stormwater.~~

~~*Nonstructural Stormwater Management Practice or Nonstructural Practice.* Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.~~

~~*Off-Site Facility.* A stormwater management facility located outside the boundaries of the site.~~

~~*On-Site Facility.* A stormwater management facility located within the boundaries of the site.~~

~~*Overbank Flood Protection.* Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the 2-year through 25-year frequency storm events.~~

~~*Owner.* The legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.~~

~~*Parcel.* Any plot, lot or acreage shown as a unit on the latest county tax assessment records.~~

~~*Perennial Stream.* Means any stream which is designated and shown as a permanent stream on the 7.5-minute quadrangle maps of the U.S. Geological Survey, plus any stream which the Mayor and City Council may determine to be, and designate as, a flowing stream.~~

~~**Permit.** The permit issued by the City of Alpharetta to the applicant which is required for undertaking any land development activity.~~

~~**Person.** Except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.~~

~~**Pollutant.** Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; chemicals; steam cleaning or laundry wastes; heated water; chlorinated water or chlorine (except as exempted above); non-hazardous liquid and solid wastes and yard wastes; bark and other fibrous material; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; animal carcasses; silt; acids or alkalis; recreational vehicle wastes; dyes (without prior permission of the Department); floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; washing of fresh concrete for cleaning and/or finishing purposes or to expose aggregates; and noxious or offensive matter of any kind.~~

~~**Pollution.** The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.~~

~~**Post-development.** The time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.~~

~~**Pre-development.** The time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.~~

~~**Premises.** Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.~~

~~**Private.** Property or facilities owned by individuals, corporations, and other organizations and not by city, state, or federal government.~~

~~**Project.** A land development project.~~

~~**Protection Area, or Stream Protection Area.** With respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.~~

~~**Redevelopment.** A land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.~~

~~**Regional Stormwater Management Facility or Regional Facility.** Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.~~

~~**Riparian.** Belonging or related to the bank of a river, stream, lake, pond or impoundment.~~

~~**Runoff.** Stormwater runoff.~~

~~**Runoff Reduction Measures.** Preservation of an area's landscape features (vegetation, soils, and natural processes) that help manage and reduce stormwater runoff from a development or redevelopment site. Runoff reduction measures also include structurally engineered practices (such as bioretention areas, bioswales, pervious paving, greenroofs, greenwalls, stormwater street trees, and cisterns) that mimic natural processes to manage stormwater as close to its source as possible and reduce stormwater runoff from the site. In addition to stormwater management, runoff reduction measures can enhance site aesthetics, improve air quality, reduce urban heat island impacts, provide shading, create wildlife habitat, reduce energy consumption, reduce infrastructure costs, and increase property values. Above-ground cisterns require architectural and/or landscape screening that compliments the architecture of the building and is of like or similar materials used in the building's construction. Cisterns and other vertical runoff reduction measures and their screening shall require approval by the Community Development Director.~~

~~**Setback.** With respect to a stream, the area extending beyond any buffer applicable to the stream.~~

~~**Site.** The parcel of land being developed, or the portion thereof on which the land development project is located.~~

~~**State Waters.** Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State of Georgia which are not entirely confined and retained completely upon the property of a single person.~~

~~**Stormwater Better Site Design.** Nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.~~

~~**Stormwater Management.** The collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.~~

~~**Stormwater Management Facility.** Any infrastructure that controls or conveys stormwater runoff.~~

~~**Stormwater Management Manual.** The most recent update of the City of Alpharetta Stormwater Management Design Manual, combined with the latest edition of the Georgia Stormwater Management Manual.~~

~~**Stormwater Management Measure.** Any stormwater management facility or nonstructural stormwater practice.~~

~~**Stormwater Management Plan.** A document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this ordinance.~~

~~**Stormwater Management System.** The entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey and control the quantity and quality of the stormwater runoff from a site.~~

~~**Stormwater Retrofit.** A stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.~~

~~**Stormwater Runoff or Stormwater.** Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.~~

~~**Stream Bank.** The sloping land that contains the stream channel and the normal flows of the stream.~~

~~**Stream Channel.** The portion of a watercourse that contains the base flow of the stream.~~

~~**Structural Stormwater Control.** A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.~~

~~**Subdivision.** The division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.~~

~~**Variance.** The modification of the minimum stormwater management requirements for specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of this Ordinance.~~

~~**Watershed.** The land area that drains into a particular stream.~~

~~(Ord. No. 732, § 17, 2-6-2017; Ord. No. 737, § 4, 5-1-2017; Ord. No. 772, § 6, 2-4-2019)~~

G. Stormwater Management Standards. Subject to the applicability criteria in 3.3.1 E and exemptions in 3.3.1 F the following stormwater management standards apply. Additional details for each standard can be found in the GSMM Section 2.2.2.2:

a. Design of Stormwater Management System: The design of the stormwater management system shall be in accordance with the applicable sections of the GSMM and the ASPH as

directed by the administrator. Any design which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

b. Natural Resources Inventory: Site reconnaissance and surveying techniques shall be used to complete a thorough assessment of existing natural resources, both terrestrial and aquatic, found on the site. Resources to be identified, mapped, and shown on the Stormwater Management Plan, shall include at a minimum (as applicable):

(i) Topotgraphy (minimum of 2-foot contours) and Steep Slopes (i.e. Areas with Slopes Greater Than 15%),

(ii) Natural Drainage Divides and Patterns,

(iii) Natural Drainage Features (e.g. swales, basins, depressional areas),

(iv) Natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers, drinking water wellhead protection areas, and river corridors,

(v) Predominant soils (including erodible soils and karst areas), and

(vi) Existing predominant vegetation including trees, high quality habitat and other existing vegetation.

c. Better Site Design Practices for Stormwater Management: Stormwater management plans shall preserve the natural drainage and natural treatment systems and reduce the generation of additional stormwater runoff and pollutants to the maximum extent practicable. Additional details can be found in the GSMM Section 2.3.

d. Stormwater Runoff Quality / Redction: Stormwater Runoff Quality / Reduction shall be provided by using the following:

(i) For development with a stormwater management plan submitted before February 2, 2017, the applicant may choose either (A) Runoff Reduction or (B) Water quality.

(ii) For development with a stormwater management plan submitted on or after February 2, 2017, the applicant shall choose (a) Runoff Reduction and additional water quality shall not be required. To the extent (a) Runoff Reduction has been determined to be infeasible for all or a portion of the site using the Practicability Policy, then (B) Water Quality shall apply for the remaining runoff from a 1.2-inch rainfall event and must be treated to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM.

(A) Runoff Rduction – The stormwater management system shall be designed to retain the first 1.0-inch of rainfall on the site using runoff reduction methods, to the maximum extent practicable.

(B) Water quality – The stormwater management system shall be designed to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM for runoff from a 1.2-inch rainfall event.

(iii) If a site is determined to be a hotspot as detailed in 3.3.1 E, the city may require the use of specific or additional components for the stormwater management system to address pollutants of concern generated by the site.

e. Stream Channel Protection: Stream channel protection shall be provided by using all of the following three approaches:

(i) 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event;

(ii) Erosion prevention measures, such as energy dissipation and velocity control; and

(iii) Preservation of any applicable stream buffer.

(iv) Channel Protection may be adjusted or waived by the city for sites that discharge directly into larger streams, rivers, wetlands, or lakes, or to a man-made channel or conveyance system where the reduction in these flows will not have impact on upstream or downstream streambank or channel integrity.

f. Overbank Flood Protection: Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event. If control of the 1-year, 24-hour storm under Section 3.3.4.B. is exempted, then peak discharge rate attenuation of the 2-year through the 25-year return frequency storm event must be provided. This requirement may be adjusted or waived by the City Engineer for sites where the post-development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.

g. Extreme Flood Protection: Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated. This requirement may be adjusted or waived by the City Engineer for sites where the post-development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.

h. Downstream Analysis: Due to peak flow timing and runoff volume effects, some structural components of the stormwater management system fail to reduce discharge peaks to pre-development levels downstream from the site. A downstream peak flow analysis shall be provided to the point in the watershed downstream of the site or the stormwater management system where the area of the site comprises 10% of the total drainage area in accordance with Section 3.1.9 of the GSMM. This is to help ensure that there are minimal downstream impacts from development on the site. The downstream analysis may result in the need to resize structural components of the stormwater management system. Analysis should include evaluation of 2, 5, 10, 25, and 100-year 24, hour storm events at each possible "choke point" between the site and the 10% point. This should include, but is not limited to culverts, pipes, and stream confluences. Post-development flow rates should not increase from pre-development flow

rates except in those situations where the city has approved waivers of Overbank or Extreme Flood Protection in order to protect downstream peak flows.

i. Stormwater Management System Inspection and Maintenance: The components of the stormwater management system that will not be dedicated to and accepted by the city, including all drainage facilities, best management practices, credited conservation spaces, and conveyance systems, shall have an inspection and maintenance agreement to ensure that they continue to function as designed. All new development and redevelopment sites are to prepare a comprehensive inspection and maintenance agreement for the on-site stormwater management system. This plan shall be written in accordance with the requirements in Section 3.3.1 P, S, and T.

j. Stormwater Structural Controls: All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual and the additional requirements of the Alpharetta Stormwater Policy Handbook. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from City Engineer before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the City Engineer may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollution loads created on the site in question. Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

k. Stormwater Credits for Nonstructural Measures: The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under Section 3.3.4.A. The applicant may, if approved by the City Engineer, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual. To receive credit a conservation easement may be required by the city.

l. Drainage System Guidelines: Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutters, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public right-of-way and private properties adjoining project sites and/or public rights-of-way. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:

(i) Methods to calculate stormwater flows shall be in accordance with the Stormwater Management Manual;

(ii) All culverts, pipe systems and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the Stormwater Management Manual; and,

(iii) Design and construction of stormwater conveyance facilities shall be in accordance with the criteria and specifications found in the Stormwater Management Manual.

m. Dam Design Guidelines: Any land-disturbing activity that involves a site which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable and requirements outlined in the ASPH.

H. Pre-Submittal Meeting, Stormwater Concept Plan, and Stormwater Management Plan Requirements.

a. Before a land development permit application is submitted, an applicant shall request a pre-submittal meeting with the city. The pre-submittal meeting should take place based on an early step in the development process such as before site analysis and inventory (GSMM Section 2.4.2.4) or the stormwater concept plan (GSMM section 2.4.2.5). The pre-submittal meeting is required prior to submittal for a Land Disturbance Permit. The purpose of the pre-submittal meeting is to discuss opportunities, constraints, and ideas for the stormwater management system before formal site design engineering. To the extent applicable, local and regional watershed plans, greenspace plans, trails and greenway plans, and other resource protection plans should be consulted in the pre-submittal meeting. Applicants must request a pre-submittal meeting with the city when applying for a Determination of Infeasibility through the Practicability Policy.

b. The stormwater concept plan shall be prepared using the minimum following steps:

(i) Develop the site layout using better site design techniques, as applicable (GSMM Section 2.3).

(ii) Calculate preliminary estimates of the unified stormwater sizing criteria requirements for stormwater runoff quality / reduction, channel protection, overbank flooding protection, and extreme flood protection (GSMM 2.2).

(iii) Perform screening and preliminary selection of appropriate best management practices and identification of potential siting locations (GSMM Section 4.1).

c. The stormwater concept plan shall contain:

(i) Common address and legal description of the site.

(ii) Vicinity map, and

(iii) Existing conditions and proposed site layout mapping and plans (recommended scale of 1"-50'), which illustrate at a minimum:

(A) Existing and proposed topography (minimum of 2-foot contours),

(B) Perennial and intermittent streams,

- (C) Mapping of predominant soils from USDA soil surveys.
- (D) Boundaries of existing predominant vegetation and proposed limits of clearing and grading.
- (E) Location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers, specimen trees, and other setbacks (e.g. drinking water well setbacks, septic setbacks, etc.).
- (F) Location of existing and proposed roads, buildings, parking areas, and other impervious surfaces.
- (G) Existing and proposed utilities (e.g. water, sewer, gas, electric) and easements.
- (H) Preliminary estimates of unified stormwater sizing criteria requirements.
- (I) Preliminary selection and location, size, and limits of disturbance of proposed BMPs.
- (J) Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains.
- (K) Flow paths.
- (L) Location of boundaries of the base flood floodplain, future-conditions floodplain, and the floodway (as applicable) and relationship of site to upstream and downstream properties and drainage.
- (M) Preliminary location and dimensions of proposed channel modifications, such as bridge or culvert crossings, and
- (N) Documentation if requesting determination of infeasibility for runoff reduction.

d.

~~3.3.3—Permit procedures and requirements.~~

~~A.—Permit Application Requirements. No owner or developer shall perform any land development activities without first meeting the requirements of this ordinance prior to commencing the proposed activity.~~

~~Unless specifically exempted by this ordinance, any owner or developer proposing a land development activity shall submit to the City of Alpharetta a permit application on a form provided by the Community Development Department for that purpose.~~

~~Unless otherwise exempted by this ordinance, a permit application shall be accompanied by the following items in order to be considered:~~

- ~~1.—Stormwater preliminary plan and consultation meeting certification in accordance with Section 3.3.3.B.;~~
- ~~2.—Stormwater management plan in accordance with Section 3.3.3.C.;~~

3. ~~Inspection and maintenance agreement in accordance with Section 3.3.3.D., if applicable;~~
4. ~~Performance bond in accordance with Section 3.3.3.E., if applicable; and,~~
5. ~~Permit application and plan review fees in accordance with Section 3.3.3.F.~~

B. ~~*Stormwater Preliminary Plan and Consultation Meeting.*~~ Before any stormwater management permit application is submitted, the land owner or developer shall meet with the City Engineer for a consultation meeting on a preliminary plan for the post-development stormwater management system to be utilized in the proposed land development project. This consultation meeting shall take place at the time of the preliminary plat of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced.

~~To accomplish this goal the following information shall be included in the preliminary plan:~~

~~Existing conditions and proposed site layout sketch plans, which illustrate at a minimum: existing topography; location of floodplain/floodway boundaries; wetland delineations; lakes and ponds; perennial and non-perennial streams; stream buffers and setbacks; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation; forest cover; locations of specimen trees; zoning buffers; location of existing and proposed roads and other impervious surfaces; preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings. Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.~~

~~Local watershed plans, the City greenspace protection plan (if applicable), and any relevant resource protection plans will be consulted in the discussion of the preliminary plan.~~

C. ~~*Stormwater Management Plan Requirements.*~~ The stormwater management plan shall contain the items listed in this part and be prepared under the direct supervisory control of either a registered Professional Engineer or a registered Landscape Architect licensed in the state of Georgia. Items (iii), (iv), (v), and (vi) shall be sealed and signed by a registered Professional Engineer licensed in the state of Georgia. The overall site plan must be stamped by a design professional licensed in the State of Georgia for such purpose. (GSMM Section 2.4.2.7) The stormwater management plan must ensure that the requirements and criteria in this ordinance are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include the information required in the Stormwater Management Site Plan checklist found in the ASPH. The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for the long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility. A stormwater management plan must be submitted to the city which shows the adequacy of the off-site or regional facility. To be eligible for modification, the applicant must demonstrate to the satisfaction of the city that the use of the off-site or regional facility will not result in the following impacts to upstream or downstream areas: a. increased threat of flood damage to public health, life, and property; b. deterioration of existing culverts, bridges, dams, and other structures; c. accelerated streambank or streambed erosion or siltation; d. degradation of in-stream biological functions or habitat; or ea. Water quality impairment in violation of state water quality standards, and/or violation of any state or federal regulations. detail

~~how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this ordinance, including the performance criteria set forth in Section 3.3.4 below.~~

~~This plan shall be in accordance with the criteria established in this Section and must be submitted with the stamp and signature of a Professional Engineer (PE) licensed in the state of Georgia, who must verify that the design of all stormwater management facilities and practices meet the submittal requirements outlined in the submittal checklist(s) found in the Stormwater Management Manual.~~

~~The stormwater management plan must ensure that the requirements and criteria in this ordinance are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the information required in the Stormwater Management Site Plan checklist found in the Stormwater Management Manual. This includes:~~

~~1. Common address and legal description of site.~~

~~2. Vicinity Map.~~

~~3.~~

(i) Natural Resources Inventory

(ii) Stormwater Concept Plan

(iii) Existing Conditions Hydrologic Analysis. ~~The existing conditions hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each subbasin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, predevelopment conditions shall be modeled using the established guidelines for the portion of the site undergoing land development activities. The redevelopment guidelines, including how the predevelopment conditions will be modeled for redevelopment sites, will be established in the stormwater management manual.~~

(iv)

4. Post-Development Hydrologic Analysis. ~~The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of developed site conditions with the post-development drainage basin boundaries indicated; total area of post-development impervious surfaces and other land cover areas for each subbasin affected by the project; (pervious paved surfaces such as parking areas, sidewalks, and streets, and green roof areas shall be noted and included in #5. below, Stormwater Management System); calculations for determining the runoff volumes that need to be addressed for each subbasin for the development project to meet the post-development stormwater management performance criteria in Section 3.3.4; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a redevelopment site of 1-acre or more of disturbance constitutes more than 50 percent of the site area for the entire site, then the runoff reduction performance standard in Section 3.3.4 must be met for the stormwater runoff from the entire site, at today's standard. The existing conditions hydrologic analysis can take into account the existing development when defining curve numbers and calculating existing runoff, except where a downstream property is negatively impacted by the current conditions (i.e. currently flooding from the existing runoff). In that instance, a forested condition must be used when defining curve numbers and calculating pre-development runoff.~~

5. ~~_____ (v) Stormwater Management System. The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which shall include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross-section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in Section 3.3.4; drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.~~
6. ~~_____ (vi) Post-Development Downstream Analysis. A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is 10 percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis shall be in accordance with the Stormwater Management Manual.~~
7. ~~_____ (vii) Construction Phase Erosion and Sedimentation Control Plan. An erosion and sedimentation control plan in accordance with Section 3.1.1 *Soil Erosion and Sedimentation Control* or the NPDES Permit for Construction Activities. The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls.~~
8. ~~_____ (viii) BMP Landscape Landscaping and Open Space Plan. A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.~~
9. ~~Operations and Maintenance Plan. Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.~~

~~10. Maintenance Access Easements. The applicant must ensure access from public right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access shall be sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist shall be recorded and shall remain in effect even with the transfer of title of the property. The stormwater management manual establishes guidelines for easements and maintenance.~~

~~11. (ix) Inspection and Maintenance Agreements. Unless an on-site stormwater management facility or practice is dedicated to and accepted by the City of Alpharetta as provided in Section 3.3.3.D. below, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance Section 3.3.3.D.~~

~~12. (x) Evidence of Acquisition of Applicable Local and Non-local Permits. The applicant shall certify and provide documentation to the City Engineer that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.~~

~~_____ (xi) Determination of Infeasibility (if applicable)~~

~~_____ -(xii) Operations and Maintenance Plan~~

~~_____ (xiii) Maintenance Access Easements~~

~~e. For redevelopment and to the extent existing stormwater management structures are being used to meet stormwater management standards the following must also be included in the stormwater management plan for existing stormwater management structures~~

~~_____ (i) As-built Drawings~~

~~_____ (ii) Hydrology Reports~~

~~_____ (iii) Current inspection of existing stormwater management structures with deficiencies noted.~~

~~_____ (iv) BMP Landscape Plans~~

~~f. Deed Recordation and Indications on Plat. The approval of the permit shall require an enforceable restriction on property usage that runs with the land, such as plat, easements, recorded deed restrictions or protective covenants, to ensure that future development and redevelopment maintains the site consistent with the approved project plans. The location of all designated natural area for a site shall be recorded at the County Register of Deeds Office as "undisturbed natural area". Designated protected stream buffer boundaries must be specified on all surveys and recorded plats. The applicable maintenance agreement pertaining to every structural BMP shall be referenced on the final plat and shall be recorded with the County Register of Deeds Office upon final plat approval, and shall be provided to the Directors of Public Works and Community Development within 14 days following receipt of the recorded document.~~

~~g. Fee-in-Lieu. The purpose of the fee-in-lieu program is to allow parcels being redeveloped to reduce on-site stormwater management requirements by paying a fee to the City. For re-development projects, the owner or designee of the proposed development site shall have the option of paying an in-lieu fee to the City which will be used by the City to construct stormwater improvement measures off-site. All of the required detention (including channel protection) must be met onsite. A minimum of 75% of the runoff reduction/water quality treatment must be provided on-site. The remainder of the runoff reduction/water quality treatment may be met by a fee-in-lieu payment. The owner must demonstrate no increased downstream negative impacts where there are incised streambank conditions. Fee-in-Lieu funds will be applied to the construction of stormwater improvement projects in the same HUC-12 watershed. Program qualifications and details are provided in the Stormwater Management Manual.~~

I. Application Fee. The fee for review of any land development application shall be based on the fee structure established by the city, and payment shall be made before the issuance of any land disturbance permit or building permit for the development.

J. Application Procedures. Land development applications are handled as part of the process to obtain the land disturbance permit pursuant to the Alpharetta unified Development Code, as applicable. Before any person begins development on a site, the owner of the site shall first obtain approval in accordance with the following procedure:

a. File a land development application with the city on the city's form of application along with the following supporting materials:

(i) The stormwater management plan and report prepared in accordance with 3.3.1 H,

(ii) A certification that the development will be performed in accordance with the stormwater management plan once approved,

(iii) Annotated checklists,

(iv) Proof of pre-submittal meeting including a copy of the stormwater concept plan,

(v) Documentation of preliminary determination of infeasibility for runoff reduction, as applicable, prepared in accordance with the practicability policy, and

(vi) An acknowledgement that applicant has reviewed the city's form of inspection and maintenance agreement and that applicant agrees to sign and record such inspection and maintenance agreement before the final CO inspection. A copy of the proposed inspection and maintenance agreement must be included in the stormwater management plan or report.

b. The administrator shall inform the applicant whether the application and supporting materials are approved or disapproved.

c. If the application or supporting materials are disapproved, the administrator shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same for the administrator to again consider and either approve or disapprove.

d. If the application and supporting materials are approved, the city may issue the associated land disturbance permit or building permit, provided all other legal requirements for the issuance of such permits have been met. The stormwater management plan included in sch applications becomes the approved stormwater management plan.

e. Performance and Maintenance Bonds. The city may require performance and/or maintenance bonds for stormwater management facilities or practices and define the bond amounts. Bonds may be collected prior to issuance of a land disturbance permit, prior to approval of a final plat, prior to approval of a CO, and/or prior to final closeout of the construction site.

K. Compliance with the Approved Stormwater Management Plan. All development shall be:

a. Consistent with the approved stormwater management plan and all applicable land disturbance and building permits,

b. Conducted only within the areas specified in the approved stormwater management plan,

c. The city should be allowed to conduct periodic inspections of the project, and

d. Upon completion of the project, the applicant or other reasonable person shall submit the engineer's report and certificate and as-built plans required by Section 3.3.1 M.

L. Inspections to Ensure Plan Compliance During Construction. Periodic inspections of the stormwater management system during construction shall be conducted by the staff of the city or conducted and certified by a professional engineer who has been approved by the city. Inspections shall use the

approved stormwater management plan for establishing compliance. All inspections shall be documented with written or electronic reports that contain the following information:

a. The date and location of the inspection;

b. Whether the stormwater management system is in compliance with the approved stormwater management plan;

c. Variations from the approved stormwater management plan; and

d. Any other variations or violations of the conditions of the approved stormwater management plan.

M. Final Inspections; As-Built Drawings; Delivery of Inspection and Maintenance Agreement. Upon completion of the development, the applicant is responsible for:

a. Certifying the stormwater management system is functioning properly and was constructed in conformance with the approved stormwater management plan and associated hydrologic analysis.

b. Submitting as-built drawings showing the final design specifications for all components of the stormwater management system as certified by a professional engineer.

c. Certifying that the landscaping is established and installed in conformance with the BMP landscaping plan, and

d. Delivering to the city a signed inspection and maintenance agreement that has been recorded by the owner in the property record for all parcel(s) that make up the site.

The required certification under part (a) shall include a certification of volume, or other performance test applicable to the type of stormwater management system component, to ensure each component is functioning as designed and built according to the design specifications in the approved stormwater management plan. This certification and the required performance tests shall be performed by a qualified person and submitted to the city with the request for a final inspection. The city shall perform a final inspection with applicant to confirm applicant has fulfilled these responsibilities. A final inspection by the city is required before the release of any performance securities or bonds can occur.

N. Violations and Enforcement. Any violation of the approved stormwater management plan during construction, failure to submit as-built drawings, failure to submit a final BMP landscaping plan, failure to follow the approved plans, failure to submit plans or changes for approval, or failure of the final inspection shall constitute and be addressed as violations of, or failures to comply with, the underlying land disturbance permit pursuant to Section 3.3.9 of this ordinance. To address a violation of this Article or Section, the city shall have all the powers and remedies that are available to it for other violations of building and land disturbance permits, including without limitation the right to issue notices and orders to ensure compliance, stop work orders, and penalties as set forth in the applicable ordinances for such permits.

O. Maintenance by Owner of Stormwater Management System Predating Current GSMM. For any stormwater management systems approved and built based on requirements predating the current GSMM and that is not otherwise subject to an inspection and maintenance agreement, such stormwater management systems shall be maintained by the owner so that the stormwater management systems perform as they were originally designed.

P.

~~D. Stormwater Management~~ Inspection and Maintenance Agreements.

1. ~~a. General. Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder and for which the City requires ongoing maintenance (as defined in the stormwater management manual), the applicant or The owner shall of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by the City, execute an inspection and maintenance agreement with the city obligating the owner to inspect, clean, maintain, and repair the stormwater management system; including vegetation in the final BMP landscaping plan. The form of the inspection and maintenance agreement shall be for the form provided by the city or a city approved alternate. After the inspection and maintenance agreement has been signed by the owner and approved by the city, the owner shall promptly record such agreement at the owner's cost in the property record for all parcel(s) that make up the site, and/or a conservation easement, if applicable, that shall be binding on all subsequent owners of the site.~~

~~b. The inspection and maintenance agreement, if applicable, must be approved by the City Engineer prior to plan approval, and recorded in the deed records upon final plat approval.~~

~~The inspection and maintenance agreement shall identify by name or official title the person(s) serving as the point of contact responsible for carrying out the owner's obligations under the inspection and maintenance agreement. The owner shall update the point of contact from time to time as needed and upon request by the city. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance. Upon any sale or transfer of the site, the new owner shall notify the city in writing within 30 days of the name or official title of new person(s) serving as the point of contact for the new owner. Any failure of an owner to keep the point of contact up to date shall, following 30 days' notice, constitute a failure to maintain the stormwater management system.~~

~~c. The inspection and maintenance agreement shall run with the land and bind all future successors-in-title of the site. If there is a future sale or transfer of only a portion of the site, then:~~

~~(i) The parties to such sale or transfer may enter into and record an assignment agreement designating the owner responsible for each portion of the site and associated obligations under the inspection and maintenance agreement. The parties shall record and provide written notice and a copy of such assignment agreement to the city.~~

~~(ii) In the absence of a recorded assignment agreement, all owners of the site shall be jointly and severally liable for all obligations under the inspection and maintenance agreement regardless of what portion of the site they own.~~

~~d.~~

~~As part of the inspection and maintenance agreement, a schedule shall be developed for when and how often routine inspection and maintenance will occur to ensure proper function of the stormwater management facility or practice. The agreement shall also include plans for annual inspections to ensure proper performance of the facility between scheduled maintenance and shall also include remedies for the default thereof.~~

~~In addition to enforcing the terms of the inspection and maintenance agreement, the City may also enforce all of the provisions for ongoing inspection and maintenance in Section 3.3.8 of this ordinance.~~

~~The City, in lieu of an inspection and maintenance agreement, may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this ordinance and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.~~ The City may refuse to accept dedication of any existing or future stormwater management facility if the ~~City Engineer~~ Director of Public Works or his/her designee determines that accepting the facility is not in the best interest of the City due to maintenance costs or other factors.

Q. Right-of-Entry for Maintenance Inspection. The terms of the inspection and maintenance agreement shall provide for the city's and representatives of the city's right of entry for maintenance inspections and other specified purposes. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then the city shall have the right to enter and make inspections pursuant to the city general provisions for property maintenance inspections pursuant to the Alpharetta Unified Development Code, the Alpharetta Property Maintenance Code, and the ASPH. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this ordinance is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this ordinance.

R. Owner's Failure to Maintain the Stormwater Management System. The terms of the inspection and maintenance agreement shall provide for what constitutes failure to maintain a stormwater management system and the enforcement options available to the city. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:

a. An owner's failure to maintain the stormwater management system so that it performs as it was originally designed shall constitute and be addressed as a violation of, or failure to comply with the owner's property maintenance obligations pursuant to the Alpharetta Unified Development Code, the Alpharetta Property Maintenance Code, and the ASPH.

b. To address such a failure to maintain the stormwater management system, the city shall have all the powers and remedies that are available to it for other violations of an owner's property maintenance obligations, including without limitation prosecution, penalties, abatements, and emergency operations.

S. Maintenance Responsibilities. For all existing and new development, the following responsibilities should apply unless the existing maintenance agreement specifically denies responsibilities:

a. Any stormwater management facility which services individual subdivisions shall be privately owned with routine maintenance provided for by the owner(s). In subdivisions with an established homeowners association, the homeowners association shall be assumed to be responsible for routine maintenance unless the HOA has established covenants, deeds, or restrictions placing responsibility back on specific property owners. The owner shall maintain a perpetual, non-exclusive easement which allows for access for inspection and other maintenance. Determination of whether the HOA or private property owners are responsible will be done by the legal system between the private entities, not the city.

b. Any stormwater management facility which services an individual subdivision in which the facility is within designated open areas or an amenity with an established homeowners' association shall be privately owned and maintained by the property owner. The owner shall maintain a perpetual, non-exclusive easement which allows for access for inspection and emergency maintenance.

c. Any stormwater management facility which services commercial and industrial development shall be privately owned and maintained. The City shall reserve the right, but not the duty to enter the premises for emergency repairs.

d. All other stormwater management facilities, including regional stormwater detention, shall be publicly owned, and/or maintained only if accepted for maintenance by the City.

e. Drainage easements where a subdivision is traversed by a water course, drainage way, natural stream or channel off the street right-of-way shall be clearly defined on the plat and deed of the individual property for the purpose of maintaining the free flow of water. The owner shall be required to keep the easement free of obstructions and will maintain same in such a way as to assure free and maximum flow at all times.

f. Records of Maintenance Activities. Parties responsible for the operation and maintenance of the stormwater management facility shall provide records of all maintenance and repairs to the Public Works Department.

g. A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health and the city becomes aware of such condition, the city shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the city may correct the violation as provided in 3.3.1 R.

h. Inspection programs by the city may be established on any reasonable basis, including but not limited to routine inspections; random inspections; inspection based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting other environmental or safety laws. Inspections may include, but are not limited to, reviewing maintenance or repair records; sampling discharges, surface water, groundwater, and material or water in the stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.

I.

~~2.~~ *Special Operations and Maintenance Agreement for Homeowners' Associations or Other Associations.* For all stormwater management practices required pursuant to this ordinance that are to be owned and maintained by a homeowners' association, property association, or similar entity, the required operations and maintenance agreement shall include all of the following provisions:

- a. Acknowledgement that operations and maintenance agreements run with the land and impose pro rata liability upon individual lot owners. The developer and association agree that the operations and maintenance agreement run with the land and shall be binding upon themselves, their respective successors and assigns, including individual lot owners within the Subdivision. Any liability imposed against an individual landowner shall be pro-rated in a per lot basis as determined by the fraction of lot(s) owned by the individual lot owner.
- b. The Developer, Association, their respective successors and assigns, including individual lot owners within the subdivision agree to regularly and routinely inspect, clean, and maintain the LID BMP, and otherwise keep in good repair, at their own cost and expense.
- c. The Developer, Association, their respective successors and assigns, including individual lot owners within the subdivision agree that they will reimburse the city for its cost and expenses incurred in the process of cleaning, maintaining, and/or repairing the BMPs pursuant to this agreement in the event the BMPs are failing and the city chooses to intervene.

- d. The Covenant of the Subdivision establishing the Association establishes that the Association is obligated to inspect, clean, maintain, and repair the BMPs; the Association has adopted the Operation and Maintenance Agreement as an obligation of the Association; and that a funding mechanism, such as an escrow account, is in place whereby individual lot owners within the subdivision pay a regular fee to the Association for the inspection, cleaning, maintenance, and repair of the stormwater management practice(s).
- e. Upon the initial sale of any lot within the Subdivision and prior to closing on such sale, the Developer shall give a copy of the Operation and Maintenance agreement to the potential buyer.
- f. The developer shall consider setting aside funds in a separate account for future HOA stormwater management system maintenance. The amount should be based on offsetting anticipated future maintenance costs.

~~Both developer contribution and annual sinking funds shall fund the operations and maintenance escrow account. Prior to plat recordation, the developer shall pay into the escrow account an amount equal to 15 percent of the initial construction costs of the BMPs. A portion of the annual assessments of the association shall include an allocation into the escrow account. In the event the escrow account is not sufficient to fund ongoing maintenance or repayment of the City for emergency maintenance, the City may place a lien on the property.~~

~~E. *Performance and Maintenance Bonds.* The Stormwater Management Manual may require performance and/or maintenance bonds for stormwater management facilities or practices and define the bond amounts.~~

~~F. *Application Procedure.*~~

- ~~1. Applications for land development permits shall be filed with the Community Development Department in accordance with Section 4.4.3 *Land Disturbance Permits*.~~
- ~~2. Permit applications shall include the items set forth in Section 3.3.3.A. above (two copies of the stormwater management plan and the inspection maintenance agreement, if applicable, shall be included).~~
- ~~3. Upon a finding by the City Engineer that the permit application, stormwater management plan and inspection and maintenance agreement, if applicable, meet the requirements of this ordinance, the City Engineer will approve the plans. The land disturbance permit may then be issued by the Community Development Department, provided all other legal requirements for the issuance of such permit have been met.~~
- ~~4. Notwithstanding the issuance of the permit, in conducting the land development project, the applicant or other responsible person shall be subject to the following requirements:
 - ~~a. The applicant shall comply with all applicable requirements of the approved plan and this ordinance and shall certify that all land clearing, construction, land development and drainage will be done according to the approved plan;~~
 - ~~b. The land development project shall be conducted only within the area specified in the approved plan;~~
 - ~~c. The City shall be allowed to conduct periodic inspections of the project;~~
 - ~~d. No changes may be made to an approved plan without review and written approval by the City; and,~~
 - ~~e. Upon completion of the project, the applicant or other responsible person shall submit the engineer's report and certificate and as-built plans required by Section 3.3.5.B.~~~~

~~G. *Modifications for Off-Site Facilities.* The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional~~

~~facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.~~

~~A stormwater management plan must be submitted to the City Engineer which shows the adequacy of the off-site or regional facility.~~

~~To be eligible for a modification, the applicant must demonstrate to the satisfaction of the City Engineer that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:~~

- ~~1. Increased threat of flood damage to public health, life, and property;~~
- ~~2. Deterioration of existing culverts, bridges, dams, and other structures;~~
- ~~3. Accelerated streambank or streambed erosion or siltation;~~
- ~~4. Degradation of in-stream biological functions or habitat; or~~
- ~~5. Water quality impairment in violation of State water quality standards, and/or violation of any state or federal regulations.~~

~~H. *Deed Recordation and Indications on Plat.* The approval of the permit shall require an enforceable restriction on property usage that runs with the land, such as plat, easements, recorded deed restrictions or protective covenants, to ensure that future development and redevelopment maintains the site consistent with the approved project plans. The location of all designated natural area for a site shall be recorded at the County Register of Deeds Office as "undisturbed natural area". Designated protected stream buffer boundaries must be specified on all surveys and recorded plats. The applicable maintenance agreement pertaining to every structural BMP shall be referenced on the final plat and shall be recorded with the County Register of Deeds Office upon final plat approval, and shall be provided to the Directors of Public Works and Community Development within 14 days following receipt of the recorded document.~~

~~I. *Fee-In-Lieu.* The purpose of the fee-in-lieu program is to allow parcels being redeveloped to reduce on-site stormwater management requirements by paying a fee to the City. For re-development projects, the owner or designee of the proposed development site shall have the option of paying an in-lieu fee to the City which will be used by the City to construct stormwater improvement measures off-site. All of the required detention (including channel protection) must be met onsite. A minimum of 75% of the runoff reduction/water quality treatment must be provided on-site. The remainder of the runoff reduction/water quality treatment may be met by a fee-in-lieu payment. The owner must demonstrate no increased downstream negative impacts where there are incised streambank conditions. Fee-in-Lieu funds will be applied to the construction of stormwater improvement projects in the same HUC-12 watershed. Program qualifications and details are provided in the Stormwater Management Manual.~~

~~(Ord. No. 732, §§ 18-22, 2-6-2017)~~

3.3.4 Post-development stormwater management performance criteria.

~~The following performance criteria shall be applicable to all stormwater management plans, unless otherwise provided for in this ordinance: Where practicable, the use of on-site runoff reduction measures is encouraged in meeting these criteria in conjunction with traditional stormwater management measures and/or off-site mitigation.~~

- ~~A. *Water Quality.* All stormwater runoff generated from a site shall be adequately treated before discharge. It will be presumed that a stormwater management system complies with this requirement if:~~

- ~~1. It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual;~~
 - ~~2. Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual; and,~~
 - ~~3. Runoff from hotspot land uses and activities identified by the Public Works Department are adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.~~
- ~~B. *Stream Channel Protection.* Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following three approaches:~~
- ~~1. Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;~~
 - ~~2. 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event, this requirement may be adjusted or waived by the City Engineer for sites that discharge directly into larger streams, rivers, wetlands, or lakes, or to a man-made channel or conveyance system where the reduction in these flows will not have an impact on upstream or downstream streambank or channel integrity;~~
 - ~~3. Erosion prevention measures such as energy dissipation and velocity control.~~
- ~~C. *Overbank Flooding Protection.* Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event. If control of the 1-year, 24-hour storm under Section 3.3.4.B. is exempted, then peak discharge rate attenuation of the 2-year through the 25-year return frequency storm event must be provided. This requirement may be adjusted or waived by the City Engineer for sites where the post-development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.~~
- ~~D. *Extreme Flooding Protection.* Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated. This requirement may be adjusted or waived by the City Engineer for sites where the post-development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.~~
- ~~E. *Structural Stormwater Controls.* All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from City Engineer before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the City Engineer may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollution loads created on the site in question.~~
- ~~Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.~~

~~F. *Stormwater Credits for Nonstructural Measures.* The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under Section 3.3.4.A. The applicant may, if approved by the City Engineer, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.~~

~~G. *Drainage System Guidelines.* Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutters, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public right-of-way and private properties adjoining project sites and/or public rights-of-way. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:~~

- ~~1. Methods to calculate stormwater flows shall be in accordance with the Stormwater Management Manual;~~
- ~~2. All culverts, pipe systems and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the Stormwater Management Manual; and,~~
- ~~3. Design and construction of stormwater conveyance facilities shall be in accordance with the criteria and specifications found in the Stormwater Management Manual.~~

~~H. *Dam Design Guidelines.* Any land-disturbing activity that involves a site which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.~~

~~I. *Runoff Reduction.* Runoff reduction practices shall be sized and designed to retain the first 1.0 inch of rainfall on the site to the maximum extent practicable. If the entire 1.0 inch of rainfall can be retained onsite using runoff reduction methods, the City may waive the water quality volume. If the entire 1.0 inch runoff reduction standard cannot be achieved, the remaining runoff from the 1.2-inch rainfall event must be treated by BMPs to remove at least 80% of the calculated average annual post-development TSS loading from the site per the Water Quality criteria.~~

~~(Ord. No. 732, §§ 23–25, 2-6-2017)~~

3.3.5—Construction inspections of post-development stormwater management system.

~~A. *Inspections to Ensure Plan Compliance During Construction.* Periodic inspections of the stormwater management system construction shall be conducted by City staff or conducted and certified by a professional engineer who has been approved by the City. Construction inspections shall utilize the approved stormwater management plan for establishing compliance.~~

~~All inspections shall be documented with written reports that contain the following information:~~

- ~~1. The date and location of the inspection;~~
- ~~2. Whether construction is in compliance with the approved stormwater management plan;~~
- ~~3. Variations from the approved construction specifications; and,~~
- ~~4. Any other variations or violations of the conditions of the approved stormwater management plan.~~

~~If any violations are found, the applicant shall be notified in writing of the nature of the violation and the required corrective actions.~~

~~B. *Final Inspection and As Built Plans.* Upon completion of a project, and before a certificate of occupancy shall be granted, the applicant is responsible for certifying that the completed project is in~~

~~accordance with the approved stormwater management plan. All applicants are required to submit actual "as built" plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a Professional Engineer. A final inspection by the City is required before the release of any performance securities can occur.~~

~~(Ord. No. 732, § 26, 2-6-2017)~~

3.3.6-2 Stream buffer protection.

A. *Findings and Purposes.*

1. *Findings.* Whereas, the Public Works Department of City of Alpharetta finds that buffers adjacent to streams provide numerous benefits including:
 - a. Protecting, restoring and maintaining the chemical, physical and biological integrity of streams and their water resources.
 - b. Removing pollutants delivered in urban stormwater.
 - c. Reducing erosion and controlling sedimentation.
 - d. Protecting and stabilizing stream banks.
 - e. Providing for infiltration of stormwater runoff.
 - f. Maintaining base flow of streams.
 - g. Contributing organic matter that is a source of food and energy for the aquatic ecosystem.
 - h. Providing tree canopy to shade streams and promote desirable aquatic habitat.
 - i. Providing riparian wildlife habitat.
 - j. Furnishing scenic value and recreational opportunity.
 - k. Providing opportunities for the protection and restoration of greenspace.
2. *Purposes.* The purpose of this Ordinance is to protect the public health, safety, environment and general welfare; to minimize public and private losses due to erosion, siltation and water pollution; and to maintain stream water quality by provisions designed to:
 - a. Create buffer zones along the streams of the City for the protection of water resources; and,
 - b. Minimize land development within such buffers by establishing buffer zone requirements and by requiring authorization for any such activities.

B. Definitions

Buffer means, with respect to a stream, a natural or enhanced vegetated area (established by Section 3.3.2 D), lying adjacent to the stream. The area of land adjacent to the banks of State waters in its natural state of vegetation, which facilitates, when properly vegetated, the protection of water quality and aquatic habitat (O.C.G.A. 12-7-6 (b)(15)).

Floodplain means any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e. the regulatory flood.

Impervious Cover means any manmade paved, hardened or structural surface regardless of the material. Impervious cover includes but is not limited to rooftops, buildings, streets, roads, decks, swimming pools, and any concrete, asphalt, or compacted gravel.

Land Development means any land change, including but not limited to clearing, grubbing, stripping, removal or vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other installation of impervious cover.

Land Development Activity means those actions or activities which comprise, facilitate or result in land development.

Land Disturbance means any land or vegetation change, including, but not limited to, clearing, grubbing, stripping, removal or vegetation, dredging, grading, excavating, transporting and filling of land, that do not involve construction, paving or other installation of impervious cover.

Land Disturbance Activity means those actions or activities which comprise, facilitate or result in land disturbance.

Parcel means any plot, lot or acreage shown as a unit on the latest county tax assessment records.

Permit means the permit issued by the city required for undertaking any land development activity.

Person means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Protection Area or Stream Protection Area means, with respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Riparian means belonging or related to the bank of a river, stream, lake, pond, or impoundment.

Setback means, with respect to a stream, the area established by Section 3.3.2D extending beyond any buffer applicable to the stream.

Stream means any stream, beginning at:

1. The location of a spring, seep, or groundwater outflow that sustains streamflow; or
2. A point in the stream channel with a drainage area of 25 acres or more; or
3. Where evidence indicates the presence of a stream in a drainage area of other than 25 acres, the city may require field studies to verify the existence of a stream.

Stream Bank means the confining cut of a stream channel and is usually identified as the point where the normal stream flow has wrested the vegetation.

Stream Channel means the portion of a watercourse that contains the base flow of the stream.

Watershed means the area that drains into a particular stream.

C. *Applicability.* This ordinance shall apply to all land development activity on property containing a stream protection area. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under state law and approval or exemption from these requirements do not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.

1. *Grandfather Provisions.* This ordinance shall not apply to the following activities:

- a. Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before the effective date of this ordinance.
- b. Existing development and on-going land disturbance activities including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that new development or land disturbance activities on such properties will be subject to all applicable buffer requirements.
- c. Any land development activity that is under construction, fully approved for development, scheduled for permit approval or has been submitted for approval as of the effective date of this ordinance.
- d. Land development activity that has not been submitted for approval, but that is part of a larger master development plan, such as for an office park or other phased development that has been previously approved within two years of the effective date of this ordinance.
- e. Grandfathering provisions only apply to Section 3.3.6-2 Stream Buffer Protection.

2. *Exemptions.* The following specific activities are exempt from this ordinance. After the effective date of this ordinance, it shall apply to new subdividing and platting activities. Any land development activity within a buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to Section C below. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

- a. Activities for the purpose of building one of the following:
 - (1) A stream crossing by a driveway, transportation route or utility line;
 - (2) Public water supply intake or public wastewater outfall structures;
 - (3) Intrusions necessary to provide access to a property;
 - (4) Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
 - (5) Unpaved foot trails and paths;
 - (6) Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used;
 - (7) The City of Alpharetta Greenway system (exemption applies to city buffers only).
- b. Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in Item a., above.

- c. Land development activities within a right-of-way existing at the time this ordinance takes effect or approved under the terms of this ordinance.
- d. Within an easement of any utility existing at the time this ordinance takes effect or approved under the terms of this ordinance, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
- e. Emergency work necessary to preserve life or property. However, when emergency work is performed under this Section, the person performing it shall report such work to the Public Works Department on the next business day after commencement of the work. Within ten (10) days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the City ~~Engineer~~ to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.
- f. Forestry and silviculture activities on land that is zoned for forestry, silvicultural or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the buffer that would otherwise be prohibited, then no other land-disturbing activity other than normal forest management practices will be allowed on the entire property for three years after the end of the activities that intruded on the buffer.

~~C.~~ D. *Land Development Requirements.*

1. *Buffer and Setback Requirements.* All land development activity subject to this ordinance shall meet the following requirements:
 - a. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of a non-perennial stream as measured from the top of the stream bank. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
 - b. An undisturbed natural vegetative buffer shall be maintained for 100 feet, measured horizontally, on both banks (as applicable) of a perennial stream as measured from the top of the stream bank. An additional setback shall be maintained for 50 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback. If approved by the City ~~Engineer~~, the buffer requirement may be achieved by maintaining an average of width of 100 feet and a minimum distance of 50 feet from each side of the stream as measured horizontally from the top of the stream bank. If approved by the City ~~Engineer~~, the setback may be achieved by restricting the construction of any impervious surface within an average setback of 150 feet on each side of the stream and a minimum distance of 75 feet as measured horizontally from the top of the stream bank. No averaging shall be allowed on the following:
 - (1) Big Creek.
 - (2) Foe Killer Creek.
 - (3) Any perennial stream within a seven (7) mile radius upstream of the Roswell water supply intake protected pursuant to Section 3.3.12.
 - c. No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.
 - d. No solid fences greater than four (4) feet in height are permitted within the buffer. Fences that are not private in nature (such as split rail) may be allowed for the delineation of property or other purposes not intended to disturb the buffer area.

2. *Variance Procedures.* Variances from the above buffer and setback requirements may be granted in accordance with the following provisions:

- a. Where a parcel was platted prior to the effective date of this ordinance, and its shape, topography or other existing physical condition prevents land development consistent with this ordinance, and the City of Alpharetta finds and determines that the requirements of this ordinance prohibit the otherwise lawful use of the property by the owner, the City ~~Engineer~~ may grant a variance from the buffer and setback requirements hereunder, provided such variance require mitigation measures to offset the effects of any proposed land development on the parcel.
- b. Requests for variances shall follow the procedures described in Section 4.5 and Section 5.2. Variances will be considered only in the following cases:
 - (1) When a property's shape, topography or other physical conditions existing at the time of the adoption of this ordinance prevents land development unless a buffer variance is granted.
 - (2) Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Variances will not be considered when, following adoption of this ordinance, actions of any property owner of a given property have created conditions of a hardship on that property.

- c. At a minimum, a variance request shall include the following information:
 - (1) A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;
 - (2) A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - (3) A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;
 - (4) Documentation of unusual hardship should the buffer be maintained;
 - (5) At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;
 - (6) A calculation of the total area and length of the proposed intrusion;
 - (7) A stormwater management site plan, if applicable; and,
 - (8) Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.
- d. The following factors will be considered in determining whether to issue a variance:
 - (1) The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - (2) The locations of all streams on the property, including along property boundaries;
 - (3) The location and extent of the proposed buffer or setback intrusion; and,
 - (4) Whether alternative designs are possible which require less intrusion or no intrusion;
 - (5) The long-term and construction water-quality impacts of the proposed variance;
 - (6) Whether issuance of the variance is at least as protective of natural resources and the environment.

~~D.E.~~ *Additional Information Requirements for Development on Buffer Zone Properties.* All buffer and setback areas must be recorded on the final plat of the property following plan approval. Any permit applications for property requiring buffers and setbacks hereunder must include the following:

1. A site plan showing:
 - a. The location of all streams on the property;
 - b. Limits of required stream buffers and setbacks on the property;
 - c. Buffer zone topography with contour lines at no greater than (2) two-foot contour intervals;
 - d. Delineation of forested and open areas in the buffer zone;
 - e. Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback; and
 - f. Location of the floodplain;
2. A description of all proposed land development within the buffer and setback; and,
3. Any other documentation that the City of Alpharetta may reasonably deem necessary for review of the application and to ~~insure~~ ensure that the buffer zone ordinance is addressed in the approval process.

~~EE.~~ *Responsibility.* Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this ordinance shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon the City of Alpharetta, its officers or employees, for injury or damage to persons or property.

~~FG.~~ *Inspection.* The City may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist the City in making such inspections. The City shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this ordinance, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

([Ord. No. 732](#), § 27, 2-6-2017)

~~3.3.7-3~~ Wetlands.

A. Definitions.

Wetlands. ~~Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation, and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation. Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.~~

Generalized Wetlands Map. The current U.S. fish and Wildlife Service National Wetlands Inventory maps for the City of Alpharetta, Georgia.

Jurisdictional Wetlands. An area that meets the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers.

Jurisdictional Wetland Determination. A delineation of jurisdictional wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, 33 U.S.C. § 1344, as amended.

Regulated Activity. Any activity that will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the U.S. excepting those activities exempted in Section 404 of the Federal Clean Water Act.

- B. *Establishment of the Wetlands Protection District.* The Wetlands Protection District is hereby established which shall correspond to all lands within the jurisdiction of the City of Alpharetta Georgia that are mapped as wetland areas by the U.S. Fish and Wildlife Service National Wetlands Inventory Maps. This map shall be referred to as the Wetlands Map and is hereby adopted by reference and declared to be a part of this ordinance, together with all explanatory matter thereon and attached thereto.

The Wetlands Map does not represent the boundaries of jurisdictional wetlands and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. Any local government action under this ordinance does not relieve the landowner from federal or state permitting requirements.

- C. *Protection Criteria.* No regulated activity will be permitted within the Wetlands Protection District without a permit from the City of Alpharetta. If the area proposed for development is located within 50 feet of a Wetlands Protection District boundary, as determined by the Director using the Generalized Wetlands Map, a U.S. Army Corps of Engineers determination shall be required. If the Corps determines that wetlands are present on the proposed development site, the local permit or permission will not be granted until a Section 404 Permit or Letter of Permission is issued.

The filling in of established lakes, ponds and wetlands is discouraged.

- D. *Permitted Uses.* The following uses shall be allowed as of right within the Wetlands Protection District to the extent that they are not prohibited by any other ordinance or law, including laws of trespass, and provided they do not require structures, grading, fill, draining, or dredging except as provided herein.

1. Conservation or preservation of soil, water, vegetation, fish and other wildlife, provided it does not affect waters of Georgia or of the United States in such a way that would require an individual 404 Permit.
2. Outdoor passive recreational activities, including fishing, bird watching, hiking, boating, horseback riding, and canoeing.
3. Forestry practices applied in accordance with best management practices approved by the Georgia Forestry Commission and as specified in Section 404 of the Clean Water Act.
4. The cultivation of agricultural crops. Agricultural activities shall be subject to best management practices approved by the Georgia Department of Agriculture.
5. The pasturing of livestock, provided that riparian wetlands are protected, that soil profiles are not disturbed and that approved agricultural Best Management Practices are followed.
6. Education, scientific research, and nature trails.

- E. *Prohibited Uses.* The following uses are not permitted within the Wetlands Protection District.

1. Receiving areas for toxic or hazardous waste or other contaminants;
2. Hazardous or sanitary waste landfills;

- F. *Administration, plan review, and permitting procedures are provided for in Section 4.4 of this code.*

~~3.3.8—Ongoing inspection and maintenance of stormwater facilities and practices.~~

~~A.—*Long-Term Maintenance Inspection of Stormwater Facilities and Practices.* Stormwater management facilities and practices included in a stormwater management plan which are subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this ordinance.~~

~~A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the City Engineer shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Public Works Department may correct the violation as provided in Subsection D hereof.~~

~~Inspection programs by the Public Works Department may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.~~

~~B.—*Right of Entry for Inspection.* The terms of the inspection and maintenance agreement shall provide for representatives of the City to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this ordinance is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this ordinance.~~

~~C.—*Records of Maintenance Activities.* Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to the Public Works Department.~~

~~D.—*Failure to Maintain.* If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Public Works Department, after thirty (30) days written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The City may assess the owner(s) of the facility for the cost of repair work which shall be a lien on the property, and may be placed on the ad valorem tax bill for such property and collected in the ordinary manner for such taxes.~~

~~E.—*Maintenance Responsibility.* For all existing and new development the following maintenance responsibilities shall apply:~~

- ~~1.— Any stormwater management facility which services individual subdivisions shall be privately owned with routine maintenance provided for by the owner(s). In subdivisions with an established homeowners association, the homeowners association shall be responsible for routine maintenance. The owner shall maintain a perpetual, non-exclusive easement which allows for access for inspection and other maintenance.~~
- ~~2.— Any stormwater management facility which services an individual subdivision in which the facility is within designated open areas or an amenity with an established homeowners association shall be privately owned and maintained. The owner shall maintain a perpetual, non-exclusive easement which allows for access for inspection and emergency maintenance.~~

- ~~3. Any stormwater management facility which services commercial and industrial development shall be privately owned and maintained. The City shall reserve the right, but not the duty to enter the premises for emergency repairs.~~
- ~~4. All other stormwater management facilities, including regional stormwater detention, shall be publicly owned and/or maintained only if accepted for maintenance by the City.~~
- ~~5. The director may require dedication of privately owned stormwater facilities, which discharge to the City's stormwater system, to the City.~~
- ~~6. Drainage easements where a subdivision is traversed by a water course, drainage way, natural stream or channel off the street right of way shall be clearly defined on the plat and deed of the individual property owner for the purpose of maintaining the free flow of water. The owner shall be required to keep the easement free of obstructions and will maintain same in such a way as to assure free and maximum flow at all times.~~

~~(Ord. No. 732, § 28, 2-6-2017)~~

3.3.9-4 Illicit Discharge and Illegal connection.

A. *Findings.* It is hereby determined that:

Discharges to the City of Alpharetta's separate storm sewer system that are not composed entirely of stormwater runoff contribute to increased nonpoint source pollution and degradation of receiving waters;

These non-stormwater discharges occur due to spills, dumping and improper connections to the City's separate storm sewer system from residential, industrial, commercial or institutional establishments.

These non-stormwater discharges not only impact waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters.

The impacts of these discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These impacts can be minimized through the regulation of spills, dumping and discharges into the City's separate storm sewer system;

Localities in the State of Georgia are required to comply with a number of State and Federal laws, regulations and permits which require a locality to address the impacts of stormwater runoff quality and nonpoint source pollution due to improper non-stormwater discharges to the City's separate storm sewer system;

Therefore, the City of Alpharetta adopts this ordinance to prohibit such non-stormwater discharges to the City's separate storm sewer system. It is determined that the regulation of spills, improper dumping and discharges to the City's separate storm sewer system is in the public interest and will prevent threats to public health and safety, and the environment.

B. *Purpose and Intent.* The purpose of this ordinance is to protect the public health, safety, environment and general welfare through the regulation of non-stormwater discharges to the City's separate storm sewer system to the maximum extent practicable as required by Federal law. This ordinance establishes methods for controlling the introduction of pollutants into the City's separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are to:

1. Regulate the contribution of pollutants to the City's separate storm sewer system by any person;
2. Prohibit illicit discharges and illegal connections to the City's separate storm sewer system;
3. Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the City's separate storm sewer system; and,

4. To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this ordinance;
5. No variances shall be granted to illicit discharge or illegal connection.

C. —Applicability. Compatibility and Other Regulations, Severability, and Responsibility for Administration.

1. The provisions of this ordinance shall apply throughout the incorporated area of Alpharetta.

2. This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

3. If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgement shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.

4. The City shall administer, implement, and enforce the provisions of this ordinance.

D. Definitions.

Accidental Discharge means a discharge prohibited by this ordinance which occurs by chance and without planning or thought prior to occurrence.

City Separate Storm Sewer System means any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, city streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and manmade or altered drainage channels, reservoirs, and other drainage structures, and which is:

- a. Owned or maintained by the city;
- b. Not a combined sewer; and
- c. Not part of a publicly owned treatment works.

Clean Water Act means the Federal Water Pollution Control Act (33 USC § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity means activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Illicit Discharge means any direct or indirect non-stormwater discharge to the city separate storm sewer system, except as exempted in 3.3.4 D.

Illegal Connection means either of the following:

- a. Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- b. Any pipe, open channel, drain, or conveyance connected to the city separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial Activity means activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26(b)(14).

National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit means a permit issued by the Georgia EPD under authority delegated pursuant to 33 USC §1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Stormwater Discharge means any discharge to the storm drain system that is not composed entirely of stormwater.

Person means, except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city county or other political subdivision of the State, any interstate body or any other legal entity.

Pollutant means anything which causes or contributions to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that some may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from construction or building or structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution means the contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gas, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

Premises mean any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

State Waters means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural, or artificial, lying within or forming a part of the boundaries of the State of Georgia which are not entirely confined and retained completely upon the property of a single person.

Stormwater Runoff or Stormwater means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

Structural Stormwater Control means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

E. Prohibition of Illicit Discharges. No person shall throw, drain, run, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into any component of the City of Alpharetta separate storm sewer system, or to cause permit or suffer to be thrown, drained, run, or allow to seep or otherwise discharge, into such system, any pollutants or waters containing any pollutants, other than stormwater.

1. The following discharges are exempt from the prohibition provision above:

- a. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps,

air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;

- b. Discharges or flows from firefighting, and other discharges specified in writing by the City of Alpharetta as being necessary to protect public health and safety;
- c. The prohibition provision above shall not apply to any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the State and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval from the City ~~Engineer~~ has been granted for any discharge to the City's separate storm sewer system.

~~DE~~. *Prohibition of Illegal Connections.* The construction, connection, use, maintenance or continued existence of any illegal connection to the City's separate storm sewer system is prohibited.

- 1. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- 2. A person violates this ordinance if the person connects a line conveying sewage to the City's separate storm sewer system, or allows such a connection to continue.
- 3. The person responsible for any connection in violation of this Ordinance shall immediately cause the illegal connection to be disconnected and redirected, if necessary to Fulton County's sanitary sewer system upon approval by the Director of Fulton County' sanitary sewer department or an approved onsite wastewater management system. Such person shall provide the City ~~Engineer~~ with written confirmation that the connection has been disconnected, and, if necessary, redirected to Fulton County sanitary sewer.
- 4. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the City ~~Engineer~~ requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the City ~~Engineer~~.

~~EG~~. *Industrial or Construction Activity Discharges.* Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City ~~Engineer~~ prior to allowing discharges to the City's separate storm sewer system.

~~FH~~. *Access and Inspection of Properties and Facilities.* Representatives of the City shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this ordinance.

- 1. If a property or facility has security measures in force which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the City.
- 2. The owner or operator shall allow representatives of the City ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater.
- 3. The City shall have the right to set up on any property or facility such devices as are necessary in the opinion of representatives of the City to conduct monitoring and/or sampling of flow discharges.

4. The City may require the owner or operator to install monitoring equipment and perform monitoring as necessary, and make the monitoring data available to the Public Works Department. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure their accuracy.
 5. Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the City ~~Engineer~~ and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.
 6. Unreasonable delays in allowing representatives of the City access to a facility is a violation of this ordinance.
 7. If a representative of the City has been refused access to any part of the premises from which stormwater is discharged, and the representative of the City is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the representative of the City may seek issuance of a search warrant from any court of competent jurisdiction.
- G. *Notification of Accidental Discharges and Spills.* Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the City's separate storm sewer system, State Waters, or Waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

Said person shall notify the Public Works Department by phone, facsimile, or in person within 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Public Works Department within three business days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.

In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified.

Failure to provide notification of a release as provided above is a violation of this ordinance.

([Ord. No. 732](#), § 29, 2-6-2017)

~~3.3.10 — Variances from requirements.~~

- ~~A. — The City Engineer may grant a variance in accordance with Section 5.2 if exceptional circumstances applicable to a site exist such that strict adherence to the provisions of this Ordinance will result in unnecessary hardship and will not fulfill the intent of the Ordinance.~~
- ~~B. — In order to have a variance considered, the applicant shall submit a written request to the City Engineer identifying the specific variance sought and the reasons that the variance should be granted. The written request shall include supporting data and all other information necessary to evaluate the proposed variance.~~
- ~~C. — The City Engineer will conduct a review of the request for a variance within fifteen (15) working days of receiving the request.~~

3.3.11-5 Conservation subdivision.

A. Purposes.

1. To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure.
2. To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land.
3. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
4. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
5. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
6. To promote interconnected greenways and corridors throughout the community.
7. To promote contiguous greenspace with adjacent jurisdictions.
8. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
9. To encourage street designs that reduce traffic speeds and reliance on main arteries.
10. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
11. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
12. To preserve important historic and archaeological sites.
13. No variances shall be granted to conservation subdivisions.

B. General Regulations.

1. *Applicability of Regulations.* This Conservation Subdivision option is available in the Residential Estate (RE) zoning district as a use by right. Applicant shall comply with all other provisions of the zoning code and all other applicable laws, except those that are incompatible with the provisions contained herein.
2. *Ownership of Development Site.* The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.
3. *Housing Density Determination.* The maximum number of lots in the Conservation Subdivision shall be determined by either of the following two methods, at the discretion of the City:
 - a. *Calculation:* The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning. In making this calculation, the following shall not be included in the total area of the parcel:
 - (1) Slopes over 25 percent of at least 5,000 square feet contiguous area;
 - (2) The 100-year floodplain;
 - (3) Bodies of open water over 5,000 square feet contiguous area;

- (4) Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act;
- (5) Anticipated right-of-way needs for roads and utilities; or
- (6) Required stream buffers.

b. Yield Plan: The maximum number of lots is based on a conventional subdivision design plan prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given the site features and all applicable regulations.

C. *Application Requirements.*

1. *Site Analysis Map Required.* Concurrent with the submission of a preliminary plat, Applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed Open Space will meet the requirements of this article. The preliminary plat shall include the following features, in addition to the other requirements of this document.
 - a. Property boundaries;
 - b. All streams, rivers, lakes, wetlands and other hydrologic features;
 - c. Topographic contours of no less than 10-foot intervals;
 - d. All Primary and Secondary Conservation Areas labeled by type, as described in Section 4 of this Article;
 - e. General vegetation characteristics;
 - f. General soil types;
 - g. The planned location of protected Open Space;
 - h. Existing roads and structures; and,
 - i. Potential connections with existing greenspace and trails.
2. *Open Space Management Plan Required.* An open space management plan, as described in Section 4, shall be prepared and submitted prior to the approval of the preliminary plat.
3. *Instrument of Permanent Protection Required.* An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in Subsection D below, shall be placed on the Open Space concurrent with the issuance of a land disturbance permit.
4. *Other Requirements.* The Applicant shall adhere to all other applicable requirements of the underlying zoning and the Unified Development Code.

D. *Open Space.*

1. *Definition.* Open Space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the Open Space are restricted in perpetuity through the use of an approved legal instrument.
2. *Standards to Determine Open Space.*
 - a. The minimum restricted Open Space shall comprise at least 40% of the gross tract area.
 - b. The following are considered Primary Conservation Areas and are required to be included within the Open Space, unless the Applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
 - (1) The regulatory 100-year floodplain;

- (2) Buffer zones of at least 75 ft. width along all perennial and intermittent streams;
 - (3) Slopes above 25 percent of at least 5,000 square feet contiguous area;
 - (4) Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;
 - (5) Populations of endangered or threatened species, or habitat for such species; and,
 - (6) Archaeological sites, cemeteries and burial grounds.
 - c. The following are considered Secondary Conservation Areas and should be included within the Open Space to the maximum extent feasible:
 - (1) Important historic sites;
 - (2) Existing healthy, native forests of at least one acre contiguous area;
 - (3) Individual existing healthy trees greater than 8 inches caliper, as measured from their outermost drip line;
 - (4) Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads;
 - (5) Prime agricultural lands of at least five acres contiguous area; and,
 - (6) Existing trails that connect the tract to neighboring areas.
 - d. Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected Open Space but cannot be counted towards the 40 percent minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Open Space.
 - e. At least 75 percent of the Open Space shall be in a contiguous tract. The Open Space should adjoin any neighboring areas of Open Space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Open Space.
 - f. The Open Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the Open Space.
3. *Permitted Uses of Open Space.* Uses of Open Space may include the following:
- a. Conservation of natural, archeological or historical resources;
 - b. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
 - c. Walking or bicycle trails, provided they are constructed of porous paving materials;
 - d. Passive recreation areas;
 - e. Active recreation areas, provided that they are limited to no more than 10 percent of the total Open Space, are not located within Primary Conservation Areas, and do not require significant tree removal. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Open Space;
 - f. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, such activities are not conducted within Primary Conservation Areas, and such activities are in compliance with this ordinance;

- g. Nonstructural stormwater management practices, provided that they are limited to no more than 10 percent of the total Open Space, are not located within Primary Conservation Areas, and do not require significant tree removal;
- h. Easements for drainage, access, and underground utility lines, provided that they are limited to no more than 10 percent of the total Open Space, are not located within Primary Conservation Areas, and do not require significant tree removal; or
- i. Other conservation-oriented uses compatible with the purposes of this ordinance.

4. *Prohibited uses of Open Space.*

- a. Golf courses;
- b. Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
- c. Agricultural and forestry activities not conducted according to accepted Best Management Practices; and,
- d. Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.

5. *Ownership and Management of Open Space.*

- a. Ownership of Open Space. The applicant must identify the owner of the Open Space who is responsible for maintaining the Open Space and facilities located thereon. If a Homeowners Association is the owner, membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. If a Homeowners Association is the owner, the Homeowners' Association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the owner.
- b. Management Plan. Applicant shall submit a Plan for Management of Open Space and Common Facilities ("Plan") that:
 - (1) Allocates responsibility and guidelines for the maintenance and operation of the Open Space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
 - (2) Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the Open Space and outlines the means by which such funding will be obtained or provided;
 - (3) Provides that any changes to the Plan be approved by the Board of Commissioners; and,
 - (4) Provides for enforcement of the Plan.
- c. In the event the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, the City may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, Homeowner's Association, or to the individual property owners that make up the Homeowner's Association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

6. *Legal Instrument for Permanent Protection.*

- a. The Open Space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:
 - (1) A permanent conservation easement in favor of either:

- (i) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
- (ii) A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance.

If the entity accepting the easement is not the City, then a third right of enforcement favoring the City shall be included in the easement;

- (2) A permanent restrictive covenant for conservation purposes in favor of a governmental entity; or,
 - (3) An equivalent legal tool that provides permanent protection, if approved by the City.
- b. The instrument for permanent protection shall include clear restrictions on the use of the Open Space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the Applicant chooses to place on the use of the Open Space.

3.3.12-6 Water supply watershed protection.

A. Definitions.

Buffer. A natural or enhanced vegetated area with no or limited minor land disturbances, such as trails and picnic areas, located adjacent to reservoirs or perennial streams within a water supply watershed.

Corridor. All land within the buffer areas established adjacent to reservoirs or perennial streams within a water supply watershed and within other setback areas specified in Section IV of this ordinance.

Impervious Surface. A man-made structure or surface that prevents the infiltration of storm water into the ground below the structure or surface. Examples are buildings, roads, driveways, parking lots, decks, swimming pools, or patios.

Perennial Stream. A stream that has normal stream flow consisting of base flow (discharge that enters the stream channel mainly from groundwater) or both base flow and direct runoff during any period of the year. flows throughout the whole year as indicated on a USGS Quad map.

Small Water Supply Watershed. A watershed that contains less than 100 square miles of land within the drainage basin upstream of a governmentally owned public drinking water supply intake.

Utility. Public or 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.

Water Supply Watershed. The area of land upstream of a governmentally owned public drinking water intake.

- B. *Establishment of a Water Supply Watershed District.* The Roswell Water Supply Watershed District is hereby designated and shall comprise the land that drains to City of Roswell water intake at Big Creek. The boundary of this overlay is defined by the ridgeline of the watershed and the boundary of a radius of seven (7) miles upstream of the Roswell Water Supply Intake. This overlay is delineated and defined on the Water Supply Watershed Protection District Map of The City of Alpharetta, hereafter referred to as The Map. The Map is hereby incorporated into and made a part of this ordinance by reference.

The Roswell Intake is within a small water supply watershed. An intake for the City of Roswell Georgia is located on Big Creek. This Water Supply Watershed does not contain a reservoir.

- C. *Protection Criteria.* The following regulations shall apply to the Roswell Water Supply Watershed within the City of Alpharetta as identified on the Map. Stream buffer requirements are also

established as part of the City of Alpharetta Soil Erosion and Sedimentation Control Ordinance and the Stormwater Owner Ordinance. In areas of conflict, the stricter Ordinance will prevail.

1. The corridors of all perennial streams within a seven mile radius upstream of the Roswell water supply intake must be protected by the following criteria:
 - a. A buffer shall be maintained for a distance of 100-feet on both sides of the stream as measured from the stream banks.
 - b. No impervious surface shall be constructed within a 150-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drain fields are prohibited in the 150-foot setback area.
2. The corridors of all perennial streams outside a seven-mile radius upstream of the Roswell water supply intake must be protected by the following criteria:
 - a. A buffer shall be maintained for a distance of 50-feet on both sides of the stream as measured from the stream banks.
 - b. No impervious surface shall be constructed within a 75-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drain fields are prohibited in the 75-foot setback area.
3. The impervious surface area of facilities, including all public and private structures and utilities, within the water supply watershed shall be limited to 25% of the total area within the development, or the existing use, whichever is greater. The total amount of impervious area may exceed the 25% impervious limit if the following conditions are met and approved by the City-Engineer.
 - a. The impervious surface area of facilities, including all public and private structures and utilities, within the water supply watershed shall be limited to 25% of the total area within the development, or the existing use, whichever is greater. All impervious surfaces must be included in the determination of the total impervious surface density of the City.
 - b. If the pending Big Creek Watershed Study recommendations are formally adopted by all of the local governments within the watershed, then the following approach may be considered: the total amount of impervious area may exceed the 25% impervious limit if the following conditions are met and approved by the City-Engineer. The total directly connected impervious surface area within the development shall not exceed 25%. Impervious can be considered disconnected from the drainage system if the runoff from the impervious surface flows over a minimum of 25 feet of pervious surface or if the runoff from 1.2 inches of rainfall is treated by the following water quality best management practices:
 - (1) Wet ponds (extended detention for less than 20 acres)—ED-micro pool.
 - (2) Wetlands—constructed.
 - (3) Infiltration Trenches.
 - (4) Dry Swales.
 - (5) Sand Filters.
 - (6) Bio-retention.
 - (7) Vegetated filtration Systems.
 - (8) Any other best management practice approved by the city-Engineer.
4. a. New facilities which handle hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.

- b. New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems.
 - c. New hazardous waste treatment or disposal facilities are prohibited.
- D. *Exemptions.* The following uses shall be exempted:
 - 1. Land uses existing prior to the adoption of this ordinance.
 - 2. Mining activities permitted by the Department of Natural Resources under the Surface Mining Act.
 - 3. Utilities from the stream corridor buffer and setback area provisions in accordance with the following conditions if the utilities to be located in the buffer or setback areas cannot feasibly be located outside these areas:
 - a. The utilities shall be located as far from the stream bank as reasonably possible.
 - b. The installation and maintenance of the utilities shall be such to protect the integrity of the buffer and setback areas as best as reasonably possible.
 - c. The utilities shall not impair the quality of the drinking water stream.
 - 4. Specific forestry and agricultural activities in the stream corridor buffer and setback areas in accordance with the following conditions:
 - a. The activity shall be consistent with best management practices established by the Georgia Forestry Commission or the Georgia Department of Agriculture.
 - b. The activity shall not impair the quality of the drinking water stream.
- E. *Administration.* Administration, enforcement, review and permitting shall be as per Section 4.4 of this Code.

All development activities or site work conducted after approval of the site plan shall conform to the specifications of said site plan. Changes to the approved plans must be approved by the Director.

The following activities and developments are exempt from the requirement for detailed site plans:

 - 1. Detached 'For-Sale' dwellings constructed within a subdivision of fewer than five parcels.
 - 2. Repairs to a facility that is part of a previously approved and permitted development.
 - 3. Construction of minor structures, such as sheds or additions to residences.
 - 4. Commercial development of under 800 square feet within the Downtown Overlay.
- F. *Suspension, Revocation.* The Director may suspend or revoke a permit if she finds that the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the permit.

3.3.13-7 Groundwater recharge areas.

A. Definitions.

Aquifer. Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.

Drastic. The standardized system for evaluating groundwater pollution potential using the hydro geologic settings described in U.S. Environmental Protection Agency document EPA-600-2-87-035.

Pollution Susceptibility. The relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, application of chemicals and other human activities in the recharge area.

Pollution Susceptibility Map. The relative vulnerability to pollution prepared by the Department of Natural Resources, using the DRASTIC methodology. (Georgia Department of Natural Resources Hydrologic Atlas 20: Groundwater Pollution Susceptibility Map of Georgia)

Recharge Area. Any portion of the earth's surface, where water infiltrates into the ground to replenish an aquifer.

Significant Recharge Areas. Those areas mapped by the Georgia Department of Natural Resources in Hydrologic Atlas 18 (1989 edition).

Establishment of the Groundwater Recharge Area Protection District. The Groundwater Recharge Area District is hereby established which shall correspond to all lands within the jurisdiction of the City of Alpharetta, Georgia that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 edition. Said map is hereby adopted and made a part of this ordinance.

Determination of Pollution Susceptibility. Each recharge area shall be determined to have a pollution susceptibility of high, medium, or low based on the Georgia Pollution Susceptibility Map, Hydrologic Atlas 20, 1992 edition. Said map is hereby adopted and made a part of this ordinance.

B. Protection Criteria.

1. No construction may proceed on a building to be served by a septic tank unless the Fulton County Health Department approves the proposed septic tank installations as meeting the requirements of the Georgia Department of Human Resource for On-Site Sewage Management (hereinafter DHR Manual), and Sections B. and C. below.
2. New homes served by a septic tank/drain field system shall be on lots having minimum size limitations as follows, based on application of Table MT-1 of the DHR Manual (hereinafter DHR Table MT-1). The minimums set forth in Table MT-1 may be increased further based on consideration of other factors (set forth in Sections A—F) of the DHR Manual.
 - a. 150% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a high pollution susceptibility area;
 - b. 125% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a medium pollution susceptibility area;
 - c. 110% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a low pollution susceptibility area.
3. New agricultural waste impoundment sites shall be lined if they are within a high pollution susceptibility area; a medium pollution susceptibility area and exceed 15 acres; or a low pollution susceptibility area and exceed 50 acres. As a minimum, the liner shall be constructed of compacted clay having a thickness of one-foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm/sec or other criteria established by the Natural Resource and Conservation Service.
4. New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall have secondary containment for 110% of the volume of such tanks or 110% of the volume of the largest tank in a cluster of tanks. Such tanks used for agricultural purposes are exempt, provided they comply with all federal requirements.
5. New facilities that handle hazardous materials of the types listed in section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and in amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and local fire code requirements.
6. Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.

C. Exemptions.

1. Any lot of record approved prior to the adoption of this ordinance is exempt from the minimum lot size requirements contained in [Article IV] Sections IV.B. and C. of this ordinance.
- D. Administration, plan review and permitting procedures are provided for in Section 4.4 of this Code.
 1. The following activities and developments are exempt from the requirement for detailed site plans:
 - a. Detached 'For-Sale' dwellings constructed within a subdivision of fewer than five parcels.
 - b. Repairs to a facility that is part of a previously approved and permitted development.
 - c. Construction of minor structures, such as sheds or additions to residences.

3.3.8 Variances from requirements applicable to sections 3.3.2, 3.3.3, 3.3.4, 3.3.6, and 3.3.7.

- A. The City may grant a variance in accordance with Section 5.2 if exceptional circumstances applicable to a site exist such that strict adherence to the provisions of this Ordinance will result in unnecessary hardship and will not fulfill the intent of the Ordinance.
- B. In order to have a variance considered, the applicant shall submit a written request to the City identifying the specific variance sought and the reasons that the variance should be granted. The written request shall include supporting data and all other information necessary to evaluate the proposed variance.
- C. The City will conduct a review of the request for a variance within fifteen (15) working days of receiving the request.

3.3.14-9 Violations, enforcement and penalties.

Any action or inaction which violates the provisions of **Section 3.3** this ordinance or the requirements of an approved **site plan**, stormwater management plan, **report**, or permit, may be subject to the enforcement actions outlined in this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this Section or may be restrained by injunction or otherwise abated in a manner provided by law. The imposition of any of the penalties described below shall not prevent such equitable relief.

In the event the violation constitutes an immediate danger to public health or public safety, representatives of the City are authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The City is authorized to seek costs of the abatement as outlined in this Section.

- A. *Notice of Violation.* If the City determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured a permit therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.
 1. The notice of violation shall contain:
 - a. The name and address of the owner or the applicant or the responsible person;
 - b. The address or other description of the site upon which the violation is occurring;
 - c. A statement specifying the nature of the violation;

- d. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action [the City ~~Engineer~~ shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) to cure the violation];
 - e. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed and the City's intended action; and
 - f. A statement that the determination of violation may be appealed to the City of Alpharetta by filing a written notice of appeal within ~~fifteen (15)~~ thirty (30) days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient).
 2. Such notice may require without limitation:
 - a. The performance of monitoring, analyses, and reporting;
 - b. The elimination of illicit discharges and illegal connections;
 - c. That violating discharges, practices, or operations shall cease and desist;
 - d. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
 - e. Payment of costs to cover administrative and abatement costs; and,
 - f. The implementation of pollution prevention practices.
- B. *Appeal of Notice of Violation.* Any person receiving a Notice of Violation may appeal the determination of the City ~~Engineer~~ in accordance with Section 4.5 Appeals. The notice of appeal must be received within thirty (30) days from the notice of violation. Hearing on appeal before the Zoning Board of Appeals or their designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the appropriate authority or their designee will be final.
- C. *Enforcement Measures After Appeal.* If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within ten (10) days of the decision of the appropriate authority upholding the decision of the City Engineer, then representatives of the City may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.
- D. *Costs of Abatement of the Violation.* Within thirty (30) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within fifteen (15) days of such notice. If the amount due is not paid within thirty (30) days after receipt of the notice, or if an appeal is taken, within thirty (30) days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the City by reason of such violation.
- E. *Penalties.* In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the city shall first notify the applicant or other responsible person in

writing of its intended action, and shall provide a reasonable opportunity, of not less than ten (10) days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hour notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the city may take any one or more of the following actions or impose any one or more of the following penalties.

1. Stop Work Order—The City ~~Engineer~~ may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
2. Withhold Certificate of Occupancy—The City ~~Engineer~~ may refuse to approve a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
3. Suspension, Revocation or Modification of Permit—The City ~~Engineer~~ may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated [upon such conditions as the City Engineer may deem necessary] to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. Penalties.
 - a. In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten (10) days, or such greater period as the City shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24-hour notice shall be sufficient), after the City has taken one or more of the actions described above, the City may impose a penalty not to exceed \$2,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
 - b. For intentional and flagrant violations of this ordinance, the City may issue a citation to the applicant or other responsible person, requiring such person to appear in any court of competent jurisdiction to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$2,000 or imprisonment for 30 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.
 - c. —Each violation of this Ordinance is subject to a penalty not to exceed two thousand dollars (\$2,000.00) or thirty (30) days in the City's jail.
 - (1) The City may institute appropriate actions or proceedings at law or equity for the enforcement of this Ordinance;
 - (2) Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, or other appropriate forms of remedy or relief;
 - (3) Each day of noncompliance is considered a separate offense; and

- (4) Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation, including application for injunctive relief.

~~bd.~~ Any person who undertakes any development activity requiring a stormwater management plan hereunder without first submitting the plan for review and approval shall pay to the City, in addition to any permit or inspection fee, an administrative fee of five thousand dollars (\$5,000.00).

~~ee.~~ The determination by the City ~~Engineer~~ that a violation of this Ordinance has occurred shall be conclusive and final unless the accused violator submits a written request for a hearing within seven (7) days of the violation notice being served.

- F. *Violations Deemed a Public Nuisance.* In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief as provided by law.
- G. *Remedies Not Exclusive.* The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable Federal, State or local law and the City of Alpharetta may seek cumulative remedies.

The City may recover attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

([Ord. No. 732](#), § 30, 2-6-2017)

EXHIBIT “C”

SECTION 3.4 - FLOODPLAIN MANAGEMENT

3.4.1 General.

A. *Introduction.* It is hereby determined that:

The flood hazard areas of the City are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

Flood hazard areas can serve important stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological purposes when permanently protected as undisturbed or minimally disturbed areas.

Effective floodplain management and flood hazard protection activities can (1) Protect human life and health; (2) Minimize damage to private property; (3) Minimize damage to public facilities and infrastructure such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains; and (4) Minimize expenditure of public money for costly flood control projects associated with flooding and generally undertaken at the expense of the general public.

Article IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City establishes this set of floodplain management and flood hazard reduction provisions for the purpose of regulating the use of flood hazard areas. It is determined that the regulation of flood hazard areas and the prevention of flood damages is in the public interest and will minimize threats to public health and safety, as well as to private and public property.

B. *Purpose and Intent.* The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality protection, streambank and stream corridor protection, wetlands preservation and ecological and environmental protection by provisions designed to:

1. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
2. Restrict or prohibit uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which increase flood heights, velocities, or erosion;
3. Control filling, grading, dredging and other development which may increase flood damage or erosion;
4. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands;
5. Limit the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; and,
6. Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological functions of natural floodplain areas.

C. *Applicability.* This ordinance shall be applicable to all Areas of Special Flood Hazard within the jurisdiction of the City.

D. *Designation of Ordinance Administrator.* The Directors of Community Development and Public Works and their designees are hereby appointed to administer and implement the provisions of this ordinance.

E. *Basis for Establishing Areas of Special Flood Hazard.* Areas of Future-Conditions Flood Hazard and Associated Floodplain Characteristics - Flood Area Maps and Studies.

For the purposes of defining and determining "Areas of Special Flood Hazard," "Areas of Future - conditions Flood Hazard," "Areas of Shallow Flooding," "Base Flood Elevations," "Floodplains," "Future-conditions Flood Elevations," "Future-conditions Floodplains," potential flood hazard or risk categories as shown on FIRM maps, and other terms used in this ordinance, the following documents and sources may be used for such purposes and are adopted by reference thereto:

1. The Flood Insurance Study (FIS), dated September 18, 2013, with accompanying maps and other supporting data and any revision thereto. For those land areas acquired by a municipality through annexation, the current effective FIS and data for Fulton County, dated September 18, 2013, with accompanying maps and other supporting data and any revision thereto.
 2. Other studies which may be relied upon for the establishment of the base flood elevation or delineation of the base or one-percent (100-year) floodplain and floodprone areas including:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, State or Federal agency applicable to the City; and
 - b. Any base flood study conducted by a licensed professional engineer which has been prepared utilizing FEMA approved methodology and approved by the City.
 3. Other studies which may be relied upon for the establishment of the future-conditions flood elevation or delineation of the future-conditions floodplain and flood-prone areas including:
 - a. Any flood or flood-related study conducted by the United States Army Corps of Engineers, the United States Geological Survey or any other local, State or Federal agency applicable to the City; and
 - b. Any future-conditions flood study conducted by a licensed professional engineer which has been prepared utilizing FEMA approved methodology approved by the City.
 4. The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the Public Works Department.
- F. *Compatibility with Other Regulations.* This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, statute, easement, covenant, deed restriction, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by another ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.
- G. *Severability.* If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.
- H. *Warning and Disclaimer of Liability.* The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur; flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

([Ord. No. 693, 9-2-2014](#))

3.4.2 Definitions.

Addition means any walled and roofed expansion to the perimeter or height of a building.

Adjacent means those areas located within 200 horizontal feet (or greater as determined by the City) from the future-conditions floodplain boundary that are at or lower in elevation than either three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher, unless the area is hydraulically independent (meaning absolutely no connection to the flooding source such as through pipes, sewer laterals, down drains, foundation drains, ground seepage, overland flow, gated or valved pipes, excavated and backfilled trenches, etc. with no fill or other manmade barriers creating the separation).

Appeal means a request for a review of the Directors of Community Development and Public Works' interpretation of any provision of this ordinance.

Area of Future-conditions Flood Hazard means the land area that would be inundated by the one-percent-annual-chance flood based on future-conditions hydrology (100-year future-conditions flood).

Area of Shallow Flooding means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater chance of flooding to an average depth of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard means the land area subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation designated as Zones A, A1-30, A-99, AE, AO, AH, and AR on a community's Flood Insurance Rate Map (FIRM).

Accessory Structure or Facility means a structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the primary structure.

Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Base Flood Elevation means the highest water surface elevation anticipated at any given location during the base flood.

Basement means any area of a building having its floor subgrade below ground level on all sides.

Building has the same meaning as "Structure".

Critical Facility means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

Development means any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations or storage of equipment or materials.

Elevated Building means a non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Existing Construction means any structure for which the "start of construction" commenced before December 17, 1987, the effective date of the initial floodplain management ordinance adopted by the City as a basis for its participation in the National Flood Insurance Program (NFIP).

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before December 17, 1987, the effective date of the initial floodplain management ordinance adopted by the City as a basis for its participation in the National Flood Insurance Program (NFIP).

Expansion to an Existing Manufactured Home Park or Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are

to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

Flood or *Flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) the overflow of inland or tidal waters; or
- (b) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map or *FIRM* means an official map of a community, issued by the FEMA, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

Flood Insurance Study or *FIS* means the official report by the FEMA providing an examination, evaluation, and determination of flood hazards and corresponding flood profiles and water surface elevations of the base flood.

Floodplain or *Flood-prone Area* means any land area susceptible to flooding.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway or *Regulatory Floodway* means the channel of a stream, river, or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally Dependent Use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Future-conditions Flood means the flood having a one percent chance of being equaled or exceeded in any given year based on future-conditions hydrology. Also known as the 100-year future-conditions flood.

Future-conditions Flood Elevation means the highest water surface elevation anticipated at any given location during the future-conditions flood.

Future-conditions Hydrology means the flood discharges associated with projected land-use conditions based on a community's zoning maps, comprehensive land-use plans, and/or watershed study projections, and without consideration of the projected future construction of stormwater management (flood detention) structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

Highest Adjacent Grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Historic Structure means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places by communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior, or
2. Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this code.

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when attached to the required utilities. The term includes any structure commonly referred to as a "mobile home" regardless of the date of manufacture. The term also includes parked trailers, travel trailers and similar transportable structures placed on a site for one hundred eighty (180) consecutive days or longer and intended to be improved property. The term does not include a "recreational vehicle".

Mean Sea Level means the datum to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced. For purposes of this ordinance the term is synonymous with National Geodetic Vertical Datum (NGVD) of 1929 or the North American Vertical Datum (NAVD) of 1988.

New Construction means any structure (see definition) for which the "start of construction" commenced on or after December 17, 1987 [the effective date of the first floodplain management ordinance adopted by the City as a basis for participation in the National Flood Insurance Program (NFIP)] and includes any subsequent improvements to the structure.

New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after December 17, 1987 [the effective date of the initial floodplain management ordinance adopted by the City as a basis for participation in the National Flood Insurance Program (NFIP)].

North American Vertical Datum (NAVD) of 1988 is a vertical control used as a reference for establishing varying elevations within the floodplain.

Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Permit means the permit issued by the City to the applicant which is required for undertaking any land development activity.

Recreational Vehicle means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by light duty truck; and,
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Repetitive Loss means flood related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Site means the parcel of land being developed, or the portion thereof on which the land development project is located.

Start of Construction includes substantial improvement, and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of the structure on a site, such as the pouring of slabs or footings, the installation

of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means a walled and roofed building (including a gas or liquid storage tank), that is principally above ground, or a manufactured home.

Subdivision means the division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to ~~it's~~ its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. This term also includes Repetitive Loss.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement to a structure, taking place during a 10-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the building prior to the improvement. The market value of the building means (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include those improvements of a structure required to comply with existing state and local health, sanitary, or safety code specifications which are the minimum necessary to assure safe living conditions, which have been identified by the Code Enforcement Official. The term does also not include any alterations of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Substantially Improved Existing Manufactured Home Park or Subdivision means the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Variance means a grant of relief from the requirements of this ordinance.

Violation means the failure of a structure or other development to be fully compliant with the requirements of this ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

([Ord. No. 693, 9-2-2014](#))

3.4.3 Permit procedures and requirements.

- A. *Permit Application Requirements.* No owner or developer shall perform any land development activities on a site where an Area of Special Flood Hazard or Area of Future-conditions Flood Hazard is located without first meeting the requirements of this ordinance prior to commencing the proposed activity.

Unless specifically excluded by this ordinance, any owner or developer desiring a permit for a land development activity shall submit to the City a permit application on a form provided by the City for that purpose.

No permit will be approved for any development activities that do not meet the requirements, restrictions and criteria of this ordinance.

B. *Floodplain Management Plan Requirements.* An application for a development project with any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard located on the site shall include a floodplain management/flood damage prevention plan. This plan shall include the following items:

1. Site plan drawn to scale, which includes but is not limited to:
 - a. Existing and proposed elevations of the area in question and the nature, location and dimensions of existing and/or proposed structures, earthen fill placement, amount and location of excavation material, and storage of materials or equipment;
 - b. For all proposed structures, spot ground elevations at building corners and 20-foot or smaller intervals along the foundation footprint, or one foot contour elevations throughout the building site;
 - c. Proposed locations of water supply, sanitary sewer, and utilities;
 - d. Proposed locations of drainage and stormwater management facilities;
 - e. Proposed grading plan;
 - f. Base flood elevations and future-conditions flood elevations;
 - g. Boundaries of the base flood floodplain and future-conditions floodplain;
 - h. If applicable, the location of the floodway; and
 - i. Certification of the above by a licensed professional engineer or surveyor.
2. Building and foundation design detail, including but not limited to:
 - a. Elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all proposed structures;
 - b. Elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
 - c. Certification that any proposed non-residential floodproofed structure meets the criteria in Subsection 3.4.5.B.2;
 - d. For enclosures below the base flood elevation, location and total net area of flood openings as required in Subsection 3.4.5.A.5; and
 - e. Design plans certified by a licensed professional engineer or architect for all proposed structure(s).
3. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;
4. Hard copies and digital files of computer models, if any, copies of work maps, comparison of pre- and post-development conditions base flood elevations, future-conditions flood elevations, flood protection elevations, Special Flood Hazard Areas and regulatory floodways, flood profiles and all other computations and other information similar to that presented in the FIS;
5. Copies of all applicable State and Federal permits necessary for proposed development, including but not limited to permits required by Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334; and
6. All appropriate certifications required under this ordinance.

The approved floodplain management/flood damage prevention plan shall contain certification by the applicant that all development activities will be done according to the plan or previously approved revisions. Any and all development permits and/or use and occupancy certificates or permits may be revoked at any time if the construction and development activities are not in strict accordance with approved plans.

- C. *Construction Stage Submittal Requirements.* For all new construction and substantial improvements on sites with a floodplain management/flood damage prevention plan, the permit holder shall provide to the Director of Community Development a certified as-built Elevation Certificate or Floodproofing Certificate for non-residential construction including the lowest floor elevation or floodproofing level immediately after the lowest floor or floodproofing is completed. A final Elevation Certificate shall be provided after completion of construction including final grading of the site. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a licensed land surveyor or professional engineer and certified by same. When floodproofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a licensed professional engineer or architect and certified by same using the FEMA Floodproofing Certificate. This certification shall also include the design and operation/maintenance plan to assure continued viability of the floodproofing measures.

Any work undertaken prior to approval of these certifications shall be at the permit holder's risk. The Director of Community Development shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit certification or failure to make the corrections required hereby shall be caused to issue a stop work order for the project.

- D. *Duties and Responsibilities of the Directors of Community Development and Public Works.* Duties of the Directors of Community Development and Public Works shall include, but shall not be limited to:
1. Review all land development applications and permits to assure that the requirements of this ordinance have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;
 2. Review proposed development to assure that all necessary permits from governmental agencies from which approval is required by Federal or State law, including but not limited to section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1334;
 3. When Base Flood Elevation data or floodway data have not been provided, then the City ~~Engineer~~ shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, state or other sources in order to meet the provisions of Sections 3.4.4 and 3.4.5;
 4. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new and substantially improved structures;
 5. Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been floodproofed;
 6. When floodproofing is utilized for a non-residential structure, the Director of Community Development shall review the design and operation/maintenance plan and obtain certification from a licensed professional engineer or architect;
 7. Notify affected adjacent communities and the Georgia Department of Natural Resources (GA DNR) prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
 8. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions) the City ~~Engineer~~ shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this ordinance. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps;
 9. All records pertaining to the provisions of this ordinance shall be maintained in the office of the Public Works or Community Development Departments and shall be open for public inspection.
 10. Coordinate all FIRM revisions with the GA DNR and FEMA; and

11. Review variance applications and make recommendations to the City Council, Code Enforcement Board, Board of Zoning Appeals, and Planning Commission.

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3.4.4 Standards for development.

A. *Definition of Floodplain Boundaries.*

1. Studied "A" zones, as identified in the FIS, shall be used to establish base flood elevations whenever available.
2. For all streams with a drainage area of 100 acres or greater, the future-conditions flood elevations shall be provided by the City. If future-conditions elevation data is not available from the City, then it shall be determined by a licensed professional engineer using a method approved by FEMA and the City.

B. *Definition of Floodway Boundaries.*

1. The width of a floodway shall be determined from the FIS or FEMA approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall be provided by the City. If floodway data is not available from the City, then it shall be determined by a licensed professional engineer using a method approved by FEMA and the City.

C. *General Standards.*

1. No development shall be allowed within any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard that could result in any of the following:
 - a. Raising the base flood elevation or future-conditions flood elevation equal to or more than 0.01 foot;
 - b. Reducing the base flood or future-conditions flood storage capacity;
 - c. Changing the flow characteristics as to the depth and velocity of the waters of the base flood or future-conditions flood as they pass both the upstream and the downstream boundaries of the development area; or,
 - d. Creating hazardous or erosion-producing velocities, or resulting in excessive sedimentation.
2. Any development within any Area of Special Flood Hazard or Area of Future-conditions Flood Hazard allowed under 3.4.4C1 shall also meet the following conditions:
 - a. Compensation for storage capacity shall occur between the average ground water table elevation and the base flood elevation for the base flood, and between the average ground water table elevation and the future-condition flood elevation for the future-conditions flood, and lie either within the boundaries of ownership of the property being developed and shall be within the immediate vicinity of the location of the encroachment. Acceptable means of providing required compensation include lowering of natural ground elevations within the floodplain, or lowering of adjoining land areas to create additional floodplain storage. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the natural (pre-development) stream channel unless such excavation results from the widening or relocation of the stream channel;
 - b. Cut areas shall be stabilized and graded to a slope of no less than 2.0 percent;
 - c. Effective transitions shall be provided such that flow velocities occurring on both upstream and downstream properties are not increased or decreased;

- d. Verification of no-rise conditions (0.01 foot or less), flood storage volumes, and flow characteristics shall be provided via a step-backwater analysis meeting the requirements of Section 3.4.4.D;
 - e. Public utilities and facilities, such as water, sanitary sewer, gas, and electrical systems, shall be located and constructed to minimize or eliminate infiltration or contamination from flood waters; and
 - f. Any significant physical changes to the base flood floodplain shall be submitted as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the City using the Community Concurrence forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of development, the applicant shall submit as-built surveys and plans for a final Letter of Map Revision (LOMR).
- D. *Engineering Study Requirements for Floodplain Encroachments.* An engineering study is required, as appropriate to the proposed development activities on the site, whenever a development proposes to disturb any land within the future-conditions floodplain, except for a residential single-lot development on streams without established base flood elevations and floodways. This study shall be prepared by a licensed professional engineer and made a part of the application for a permit. This information shall be submitted to and approved by the City prior to the approval of any permit which would authorize the disturbance of land located within the future-conditions floodplain. Such study shall include:
 - 1. Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development;
 - 2. Step-backwater analysis, using a FEMA-approved methodology approved by the City. Cross-sections (which may be supplemented by the applicant) and flow information will be obtained whenever available. Computations will be shown duplicating FIS results and will then be rerun with the proposed modifications to determine the new base flood profiles, and future-conditions flood profiles;
 - 3. Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions to show that base flood floodplain and future-conditions floodplain storage capacity would not be diminished by the development;
 - 4. The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future-conditions floodplain encroachments.
- E. *Floodway Encroachments.* Located within Areas of Special Flood Hazard are areas designated as floodway. A floodway may be an extremely hazardous area due to velocity flood waters, debris or erosion potential. In addition, floodways must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights. Therefore the following provisions shall apply:
 - 1. Encroachments are prohibited, including earthen fill, new construction, substantial improvements or other development within the regulatory floodway, except for activities specifically allowed in 2 below.
 - 2. Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment will not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A licensed professional engineer must provide supporting technical data and certification thereof; and
 - 3. If the applicant proposes to revise the floodway boundaries, no permit authorizing the encroachment into or an alteration of the floodway shall be issued by the City until an affirmative

Conditional Letter of Map Revision (CLOMR) is issued by FEMA or a no-rise certification is approved by the City.

- F. *Maintenance Requirements.* The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on the property so that the flood-carrying or flood storage capacity is maintained. The City may direct the property owner (at no cost to the City) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has not performed maintenance as required by the approved floodplain management plan on file with the City.

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3.4.5 Provisions for flood damage reduction.

In all Areas of Special Flood Hazard and Areas of Future-conditions Flood Hazard the following provisions apply:

A. *General Standards.*

1. New construction and substantial improvements of structures (residential or non-residential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 3.4.4.C, 3.4.4.D and 3.4.4.E have been met;
2. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. Elevated Buildings - All new construction and substantial improvements that include any fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater.
 - a. Designs for complying with this requirement must either be certified by a licensed professional engineer or architect to meet or exceed the following minimum criteria:
 - (1) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (2) The bottom of all openings shall be no higher than one foot above grade; and
 - (3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.
 - b. So as not to violate the "Lowest Floor" criteria of this ordinance, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and,
 - c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms.
6. All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located three (3) feet above the base flood elevation or one (1) foot above the future-

conditions flood elevation, whichever is higher, so as to prevent water from entering or accumulating within the components during conditions of flooding;

7. Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces;
8. All proposed development shall include adequate drainage and stormwater management facilities per the requirements of the City to reduce exposure to flood hazards.
9. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
10. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
11. On-site waste disposal systems shall be located and constructed to avoid impairment to or contamination from such systems during flooding;
12. Other public utilities such as gas and electric systems shall be located and ~~constructure~~ constructed to avoid impairments to them, or public safety hazards from them, during a flood;
13. Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this ordinance, shall be undertaken only if the non-conformity is not furthered, extended or replaced.
14. If the proposed development is located in multiple flood zones or multiple base flood elevations cross the proposed site, the higher or more restrictive base flood elevation or future condition flood elevation and development standards shall take precedence.
15. When only a portion of a proposed structure is located within a flood zone or the future conditions floodplain, the entire structure shall meet the requirements of this ordinance; and
16. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, shall be reasonably safe from flooding:
 - a. All such proposals shall be consistent with the need to minimize flood damage within the flood-prone area;
 - b. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage shall be provided to reduce exposure to flood hazards.

B. *Building Standards for Structures and Buildings Within the Future-Conditions Floodplain.*

1. *Residential Buildings.*

- a. *New construction.* New construction of principal residential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met. If all requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met, all new construction shall have the lowest floor, including basement, elevated no lower than three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Subsection 3.4.5.A.5.
- b. *Substantial Improvements.* Substantial improvement of any principal residential structure shall have the lowest floor, including basement, elevated no lower than three

(3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Subsection 3.4.5.A.5.

2. *Non-Residential Buildings.*

- a. *New construction.* New construction of principal non-residential structures shall not be allowed within the limits of the future-conditions floodplain unless all requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met. If all of the requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met, all new constructions shall have the lowest floor, including basement, elevated no lower than one (1) foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with standards of Section 3.4.5.A.5. New construction that has met all of the requirements of Section 3.4.4.C, 3.4.4.D, and 3.4.4.E may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one (1) foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Chief Building Official using the FEMA Floodproofing Certificate along with the design and operation/maintenance plan.
- b. *Substantial Improvements.* Substantial improvement of any principal non-residential structure located in AI-30, AE, or AH zones, may be authorized by the Director of Community Development to be elevated or floodproofed. Substantial improvements shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should the solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Section 3.4.5.A.5. Substantial improvements may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be watertight to one (1) foot above the base flood elevation, or at least as high as the future-conditions elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Chief Building Official using the FEMA Floodproofing Certificate along with the design and operation/maintenance plan.

3. *Accessory Structures and Facilities.* Accessory structures and facilities (i.e., barns, sheds, gazebos, detached garages, recreational facilities and other similar non-habitable structures and facilities) which meet the requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E and are permitted to be located within the limits of the future-conditions floodplain shall be constructed of flood resistant materials and designed to provide adequate flood openings in accordance with Subsection 3.4.5.A.5 and be anchored to prevent flotation, collapse, and lateral movement of the structure.

4. *Standards for Recreational Vehicles.*

- a. All recreational vehicles placed on sites must either:
 - (1) Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or
 - (2) Meet all the requirements for "Residential Buildings—Substantial Improvements" (Subsection 3.4.5.B.1), including the anchoring and elevation requirements.

5. *Standards for Manufactured Homes.*

- a. New manufactured homes shall not be allowed to be placed within the limits of the future-conditions floodplain unless all requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met. If all the requirements of Sections 3.4.4.C, 3.4.4.D, and 3.4.4.E have been met, all new construction and substantial improvement shall have the lowest floor, including basement, elevated no lower than three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with section 3.4.5.A.5.
- b. Manufactured homes placed and/or substantially improved in an existing manufactured home park or subdivision shall be elevated so that either:
 - (1) The lowest floor of the manufactured home is elevated no lower than three (3) feet above the level of the base flood elevation, or one (1) foot above the future-conditions flood elevation, whichever is higher; or
 - (2) The manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least an equivalent strength) of no less than 36 inches in height above grade.
- c. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with the standards of Subsection 3.4.5.A.7.

C. *Building Standards for Structures and Buildings Authorized Adjacent to the Future-Conditions Floodplain.*

- 1. *Residential Buildings* - For new construction and substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, shall be at least three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with Section 3.4.5.A.5.
- 2. *Non-Residential Buildings* - For new construction and substantial improvement of any principal non-residential building, the elevation of the lowest floor, including basement and access to the building, shall be at least one (1) foot above the level of the base flood elevation or at least as high as the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to automatically equalize the hydrostatic flood forces on exterior walls shall be provided in accordance with Section 3.4.5.A.5. Non-residential buildings may be floodproofed in lieu of elevation.

D. *Building Standards for Residential Single-Lot Developments on Streams Without Established Base Flood Elevations and Floodway (A-Zones).* For a residential single-lot development not part of a subdivision that has Areas of Special Flood Hazard, where streams exist but no base flood data have been provided (A-Zones), the Director of Community Development or Public

Works shall review and reasonably utilize any available scientific or historic flood elevation data available from a Federal, State, or other source, in order to administer the provisions and standards of this Section. If data are not available from these sources, the following provisions shall apply:

1. No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or fifty (50) feet from the top of the bank of the stream, whichever is greater.
 2. In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided for flood prone enclosures in accordance with Subsection 3.4.5.A.5.
- E. *Building Standards for Areas of Shallow Flooding (AO-Zones).* Areas of Special Flood Hazard may include designated "AO" shallow flooding areas. These areas have base flood depths of one (1) to three (3) feet above ground, with no clearly defined channel. In these areas the following provisions apply:
1. All new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the flood depth number in feet specified on the Flood Insurance Rate Map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three (3) feet above the highest adjacent grade. Flood openings sufficient to facilitate automatic equalization of hydrostatic flood forces shall be provided in accordance with standards of Subsection 3.4.5.A.5.
 2. New construction and substantial improvement of a non-residential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one (1) foot above the highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A licensed professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice, and shall provide such certification to the Chief Building Official using the FEMA Floodproofing Certificate along with the design and operation/maintenance plan; and
 3. Drainage paths shall be provided to guide floodwater around and away from any proposed structure.
- F. *Standards for Subdivisions of Land.*
1. All subdivision proposals shall identify the Areas of Special Flood Hazard and Areas of Future-conditions Flood Hazard therein and provide base flood elevation data and future-conditions flood elevation data;
 2. All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required;
 3. All subdivision plans will provide the elevations of proposed structures in accordance with Section 3.4.3.B.2.
- G. *Critical Facilities.* Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area preferably outside the 0.2% annual chance floodplain. Construction of new critical facilities may be permissible within the 0.2% annual chance floodplain if feasible alternative sites are unavailable. Access routes elevated to or

above the level of base flood elevation and future flood elevation shall be provided to all critical facilities to the maximum extent possible.

([Ord. No. 693, 9-2-2014](#))

3.4.6 Variance procedures.

The following variance and appeals procedures shall apply to an applicant who has been denied a permit for a development activity, or to an owner or developer who has not applied for a permit because it is clear that the proposed development activity would be inconsistent with the provisions of this ordinance.

1. Requests for variances from the requirements of this ordinance shall be submitted to the City. All such requests shall be heard and decided in accordance with procedures to be published in writing by the City. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
2. Any person adversely affected by any decision of the City shall have the right to appeal such decision to the Board of Zoning Appeals as established by the City in accordance with procedures to be published in writing by the Board of Zoning Appeals. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.
3. Any person aggrieved by the decision of the Board of Zoning Appeals may appeal such decision to the superior court, as provided in Section 5-4-1 of the Official Code of Georgia Annotated.
4. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as historic structure and the variance issued shall be the minimum necessary to preserve the historic character and design of the structure.
5. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Article are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
6. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
7. In reviewing such requests, the City and Board of Zoning Appeals shall consider all technical evaluations, relevant factors, and all standards specified in this and other sections of this ordinance.
8. Conditions for Variances:
 - a. A variance shall be issued only when there is:
 - (i) a finding of good and sufficient cause;
 - (ii) a determination that failure to grant the variance would result in exceptional hardship; and,
 - (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, or the creation of a nuisance.
 - b. The provisions of this ordinance are minimum standards for flood loss reduction, therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - c. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor

and stating that the cost of flood insurance resulting from the lowest floor elevation being placed below the base flood elevation will be commensurate with the increased risk to life and that such costs may be as high as \$25 for each \$100 of insurance coverage provided.

- d. The Directors of Community Development and Public Works shall maintain the records of all variance actions, both granted and denied, and report them to the Federal Emergency Management Agency upon request.
9. Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as the City and Board of Zoning Appeals shall deem necessary for the consideration of the request.
10. Upon consideration of the factors listed above and the purposes of this ordinance, the City and the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
11. Variances will not be issued "after the fact."

([Ord. No. 693, 9-2-2014](#))

3.4.7 Violations, enforcement and penalties.

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions outlined in this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief.

- A. *Notice of Violation.* If the City determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured a permit therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

1. The name and address of the owner or the applicant or the responsible person;
 2. The address or other description of the site upon which the violation is occurring;
 3. A statement specifying the nature of the violation;
 4. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action;
 5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
 6. A statement that the determination of violation may be appealed to the City by filing a written notice of appeal within fifteen (15) days after the notice of violation.
- B. *Penalties.* In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten (10) days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or

other responsible person fails to cure such violation after such notice and cure period, the City may take any one or more of the following actions or impose any one or more of the following penalties.

1. *Stop Work Order* - The City may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
2. *Withhold Certificate of Occupancy* - The City may refuse to approve a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
3. *Suspension, Revocation or Modification of Permit* - The City may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the City may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. *Civil Penalties* - In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within ten (10) days, or such greater period as the City shall deem appropriate (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient), after the City has taken one or more of the actions described above, the City may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.
5. *Criminal Penalties* - For intentional and flagrant violations of this ordinance, the City may issue a citation to the applicant or other responsible person, requiring such person to appear in any court of competent jurisdiction to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed \$1,000 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

([Ord. No. 693, 9-2-2014](#))



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Public Works

Submitted By: Dennis Roland

Sponsored By:

Meeting Date: November 30, 2020

I. AGENDA ITEM TITLE: FY 21 PUBLIC SAFETY HEADQUARTERS AND STATION 81 GENERATOR REPLACEMENT

II. RECOMMENDATION:

Please award the contract for generator replacements to Energy Systems Southeast, LLC. in an amount not to exceed \$89,603.00 and authorize the Mayor to execute all necessary documents. Approval of this requisition executes an expenditure as part of the FY 2021 Capital Budget.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$89,603.00

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
Generator Replacements (30141100-541300-C2004)	\$89,603.00

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
-	\$0.00

IV. REPORT IN BRIEF:

Generators for emergency power at several facilities around the City are reaching or beyond the typical life span. The typical usable life for generators is 20 years. The two generators being replaced are 22 and 23 years old. Along with replacing the aging generators, the new ones will be converted from diesel to natural gas fueled. Generators running on natural gas are less expensive to maintain and will not need to be re-fueled during long durations of power outage. The plan is to have all generators converted to natural gas utilizing recurring capital money each year as the budget allows. Currently, after replacement of the two generators this year only one more will need to be converted.

The City currently has a maintenance contract for all generators with Energy Systems Southeast, LLC (ESSE). The maintenance contract includes but is not limited to; monthly inspections, maintaining log books, generator cleaning, and a annual tune up or recommended manufacturer maintenance for each generator. The contract is 5 year contract terminating on June 30, 2021. For warranty reasons, and the knowledge of the equipment and recommended maintenance being installed, the Public Works Department will be utilizing ESSE to perform the generator replacements.

The pricing for replacement at each location was provided below.

Police HQ \$52,603.00
Station 81 \$37,000.00
Total \$89,603.00

The current budgeted and approved amount for FY 21 is \$100,000.00 for Public Safety Headquarters and Station 81. The remaining funds in the account will go towards upgrading the gas meters at both Stations. This work will be coordinated though Atlanta Gas. Actual installation of Generators will be fairly quickly.

However there is an 8-12 week lead time on the delivery of the generators.

V. ALTERNATIVES:

VI. ATTACHMENTS:

City of Alpharetta Fire Station 1 81 Generac SG050 Quote 10-29-2020, City of Alpharetta Police HQ 911
attn. Jared Wilson Generac SG100 120-208V quote 10-29-2020



Date: October 29, 2020

Quote 0020381860

To: City of Alpharetta Fire Station #1 /81

Attn: Jared Wilson

Reference: City of Alpharetta Fire Station # 1/81 SG050 120/208V

We are pleased to offer the following quote for the above project:

Quantity 1 - Generac Industrial gaseous engine-driven generator, naturally-aspirated 4.5L in-line 4 cylinder engine, consisting of the following features and accessories:

- Stationary Emergency-Standby rated
- 50 kW rating, wired for 120/208 VAC three phase, 60 Hz
- Permanent Magnet Excitation
- MLCB, 80% rated thermal-magnetic
 - o 200 Amp
- Natural Gas fuel system
- Standard Weather Protective Enclosure, Steel
 - o Industrial Grey Baked-On Powder Coat Finish
- EPA Certified
- cETLus
- Power Zone Pro Digital Control Panel for Single Generators
 - o Meets NFPA 99 and 110 requirements
 - o Temp Range -40 to 70 degrees C
 - o Humidity 2 – 95% (Non Condensing)
 - o UL6200
 - o C-ETL-US
 - o CE
 - o FCC
 - o IEC801 (Radiated Emissions, Susceptibility, and Surge Immunity)
 - o 4.3" Resistive Color Touchscreen
 - Built-in Wi-Fi, Bluetooth, and Webserver (via Power Zone Connectivity Server)
 - IP65 (front)
 - Auto/Manual/Off key switch, Alarm Indication, Not in Auto Indication, audible alarm, emergency stop switch
 - o Dual Core Digital Microprocessor
 - RS485, Ethernet and CANbus ports
 - o All engine sensors are 4-20ma for minimal interference
 - Sensors: Oil Pressure, optional Oil Temp, Coolant Temp and Level, Fuel Level/Pressure (where applicable), Engine Speed, DC Battery Voltage, Run-time Hours, Generator Voltages, Amps, Frequency, Power, Power Factor
 - Alarm Status: Low or High AC Voltage, Low or High Battery Voltage, Low or High Frequency, Pre-low or Low Oil Pressure, Pre-high or High Oil Temp (optional), Low Water Level and Temp, Pre-high or High Engine Temp, High, Low, and Critical-low Fuel Level/Pressure (where applicable), Overcrank, Over and Under Speed, Unit Not in Automatic

- Programmable I/O
- Built-in PLC for special applications
- o Engine function monitoring and control:
 - Full range standby operation; programmable auto crank, Emergency Stop, Auto-Off-Manual switch
 - Isochronous Governor
 - 0.25% digital frequency regulation with: soft-start ramping - adjustable, gain - adjustable, overshoot limit - adjustable
 - 3 Phase RMS Voltage Sensing
 - +/-0.5% digital voltage regulation with: soft-start voltage ramping - adjustable, loss of sensing protection - adjustable, negative power limit - adjustable, Hi/Lo voltage limit - adjustable, V/F slope and gain - adjustable, fault protection
- o Service reminders, trending, fault history (alarm log)
- o I2T function for full generator protection
- o Selectable low-speed exercise
- o 2-wire start controls for any 2-wire transfer switch
- 90 AH, 700 CCA Group 27F Battery, with rack, installed
- Block Heater, 1500 watt
- Std Heavy Duty Air Cleaner
- Flex Fuel Hose, shipped loose
- Critical Grade Silencer
- Std set of 3 Manuals
- Standard 2-Year Limited Warranty
- SG0050GG264.5S18SPYYA

Quantity 1 Installation

- A. Install gas line and set new generator
- 1. Install new 1 1/2" gas line from meter to new 50K generator.
- 2. We will provide (2) new regulators and install the gas line under the sidewalk to the new generator.
- 3. We will provide a crane to remove the old generator and unload and set the new generator.
- 4. We will provide a new stand for the generator to set on.
- 5. The fire station will need to upgrade the meter.

. Install Electrical Circuits for new generator and ATS

- 1. Replace existing 225a breaker with 200a breaker
- 2. Replace (2) 20a breakers with (1) 20a 2pole breaker
- 3. Set box to re-route conduits and conductors to new genset 6. Provide all misc. materials and regular hours labor.

Quantity 1 - Start Up :

- GENERAC FACTORY START UP PERFORMED DURING BUSINESS HOURS

Quantity 1 - FREIGHT :

- STANDARD LTL FREIGHT OFFLOADING INCLUDED

GRAND TOTAL INVESTMENT: \$37,000.00

Estimated Delivery: 8-12 Weeks / Prices valid for 60 days from above date / FOB: Jobsite (offloading included) / Quote does not include taxes.

Terms and Conditions

Terms are Net 30 days from shipment, subject to review and approval by our Credit Dept. Deposit may be required. Payment obligations are not dependent or contingent upon the manner in which purchaser may receive payment from others. Energy Systems will not accept "Pay When Paid" Terms. Energy Systems is quoting this project as a material supplier only; Therefore, Energy Systems is exempt from any provisions pertaining to subcontractors performance bonds and retainage. Energy Systems Terms and Conditions Apply. Sales Tax will be added where applicable.

1. Start up (if noted as included above) will be done during normal business hours. Additional charges will be applied to start ups requested on weekends or off normal business hours. Please note additional charges will also be applied if Energy Systems Southeast is called out to perform startup and the generator is not completely installed per our pre-startup checklist.
2. Generator start up will be performed by Generac factory authorized technician.
3. Unless otherwise noted 3rd party testing, infrared testing, or insulation resistance testing is not included and is by others.
4. Warranty is invalid without factory start up. The Warranty is valid (on new equipment) from date of start up of generator and not contingent upon substantial completion of the project.
5. Pricing does not include fuel, or sales tax unless otherwise stated in body of quote.
6. Only items noted above are included in this proposal. Items not specifically mentioned are not in this scope of work.

Sincerely,

Craig McKenzie
Energy Systems Southeast LLC.
770-820-9419
Craig.McKenzie@essellc.com

Acceptance of Quote

Prior to ordering equipment or services, please sign and return as a confirmation of the above terms and conditions

Customer Signature

Quote 0020381860



Date: October 29, 2020

Quote 0020385413

To: City of Alpharetta Police HQ 911

Attn: Jared Wilson

Reference: City of Alpharetta Police 911 Generac SG100 120/208V

We are pleased to offer the following quote for the above project:

Quantity 1 - Generac Industrial gaseous 9.0L V-8 engine-driven generator, consisting of the following features and accessories:

- Stationary Emergency-Standby rated
- 100 kW Rating, wired for 120/208 VAC three phase, 60 Hz
- Permanent Magnet Excitation
- Standard Weather Protective Enclosure, Steel
 - Industrial Grey Baked-On Powder Coat Finish
- UL2200
- EPA Certified
- SCAQMD
- H-100 Control Panel
 - Meets NFPA 99 and 110 requirements
 - Temp Range -40 to 70 degrees C
 - Digital Microprocessor:
 - Two 4-line x 20 displays, full system status
 - 3 Phase sensing, +/-0.25% digital voltage regulation
 - RS232, RS485 and Canbus remote ports
 - Waterproof connections
 - All engine sensors are 4-20ma for minimal interference
 - Programmable I/O
 - Built-in PLC for special applications
 - Engine function monitoring and control:
 - Full range standby operation; programmable auto crank, Emergency Stop, Auto-Off-Manual switch
 - Isochronous Governor, +/-0.25% frequency regulation
 - Full system status on all AC output and engine function parameters
 - Service reminders, trending, fault history (alarm log)
 - I2T function for full generator protection
 - Selectable low-speed exercise
 - HTS transfer switch function monitoring and control
 - 2-wire start controls for any 2-wire transfer switch
- Remote Emergency Stop Switch, flush-mount, shipped loose
- Natural Gas fuel system (7-11")
- 110 AH, 925 CCA Group 31 Battery, with rack, installed
- Standard MLCB, 80% rated thermal-magnetic
 - 400 Amp
- Battery Charger, 10 Amp, NFPA 110 compliant, installed
- Coolant Heater, 1500W, 120VAC

- Std set of 3 Manuals
- 120V GFCI and 240V Outlet
- Flex Fuel Line
- Standard 2-Year Limited Warranty
- SG0100GG269.0S18HPYYE

Quantity 1 - 5465: Surface mount remote annunciator panel.

Quantity 1 - GENERAC FACTORY START UP WITH 2 HOUR LOAD BANK TEST :

- GENERAC FACTORY START UP NFPA110 /PORTABLE GENERATOR TO BE TIED IN DURING INSTALLATION

Quantity 1 - FREIGHT :

- LTL FRIEGHT INCLUDING ONSITE OFF LOADING

Quantity 1 INSTALLATION

A. Install gas line and set new generator

1. Install new 1 ½" gas line on the side of the building from the 5 lbs gas meter up to the roof and hook into the existing gas line on roof.
2. We will install a tee on the existing gas line that is close to the generator for 2 new gas regulator (1st) will be for the generator and the (2nd) will be for the building next door.
3. We will have to add onto the existing concrete pad.
4. We will provide a crane to remove the old generator and unload and set the new generator.
5. Provide all misc. materials and regular hours labor.

B. Install Electrical Circuits for new generator and ATS

1. Replace (2) 20a breakers with (1) 20a 2pole breaker
2. Set box to re-route conduits and conductors to new genset
3. Run new conductor to annunciator

C. Removal of unit and existing diesel fuel. Generator and fuel to removed from site.

Total investment for the above equipment (Not including any applicable tax or freight unless noted in quote):

\$52,603.00

Estimated Delivery:10-12 WEEKS

Prices valid for 60 days from above date

FOB: Jobsite

Terms and Conditions

Terms are Net 30 days from shipment, subject to review and approval by our Credit Dept. Deposit may be required. Payment obligations are not dependent or contingent upon the manner in which purchaser may receive payment from others. Energy Systems will not accept "Pay When Paid" Terms. Energy Systems is quoting this project as a turnkey quote; Therefore, Energy Systems is exempt from any provisions pertaining to subcontractor's performance bonds and retainage. Energy Systems Terms and Conditions Apply. Sales Tax will be added where applicable.

1. Startup (if noted as included above) will be done during normal business hours. Additional charges will be applied to start ups requested on weekends or off normal business hours. Please note additional charges will also be applied if Energy Systems Southeast is called out to perform startup and the generator is not completely installed per our pre-startup checklist.
2. Generator start up (if noted as included above) will be performed by Generac factory authorized technician.
3. Unless otherwise noted 3rd party testing, infrared testing, or insulation resistance testing is not included and is by others.

4. Warranty is invalid without factory start up (industrial units). The Warranty is valid (on new equipment) from date of startup of generator and not contingent upon substantial completion of the project.
5. Pricing does not include sales tax unless otherwise stated in body of quote.
6. Only items noted above are included in this proposal. Items not specifically mentioned are not in this scope of work.

Sincerely,

Craig McKenzie
Energy Systems Southeast LLC
770-82-09419
Craig.McKenzie@essellc.com

Acceptance of Quote

Quote 0020385413

Prior to ordering equipment or services, please sign and return as a confirmation of the above terms and conditions.

Customer Signature



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Public Works

Submitted By: Will Eberly

Sponsored By:

Meeting Date: November 30, 2020

I. AGENDA ITEM TITLE: FY 2021 TREE PLANTING AND LANDSCAPE IMPROVEMENTS

II. RECOMMENDATION:

Please award RFP 17-103 to Ruppert Landscape in an amount not to exceed \$153,241.53 for the purchase, installation, and watering of trees and shrubs located at the Bethany Roundabouts and other areas in the City, and authorize the Mayor to execute all necessary documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: YES INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$153,241.53

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
TREE PLANTING & LANDSCAPE IMPROVEMENTS / 30141100-541200-C1302	\$43,732.53
TREE REPLACEMENT FUND / 30141100-541200-C0910	\$109,509.00

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
N/A	\$0.00
N/A	\$0.00

IV. REPORT IN BRIEF:

The proposed FY2021 Tree Planting and Landscape Improvements capital improvement project includes complete landscaping for the two newly constructed Bethany Road roundabouts at Mid Broadwell Road and Mayfield Road. Proposed landscaping includes trees, shrubs, and groundcovers.

Additional proposed landscape improvements include tree planting at the newly constructed Canton Street crosswalks and tree replacements along Westside Parkway. Additional funding is included for miscellaneous landscape enhancements/replacements. Examples include the addition of shrubs/groundcover at the Milton Ave parking garage and other various downtown locations.

Watering per City specifications is included for all newly installed plant material.

The Department of Public Works prepared landscape plans and specifications requiring that plant materials must comply with American Standard for Nursery Stock (ANSI Z60.1-2014). Specifications also include a two-year warranty for trees and one-year warranty for shrubs, groundcovers, and other items. Detailed watering requirements through plant establishment periods are also included. ANSI standards and well-defined watering requirements help ensure a high-quality landscape product for Alpharetta residents and visitors. In order to minimize maintenance costs over the long term, no new turf areas are proposed.

The proposals were provided in accordance with the City's On-Call Landscape Installation Contract with Ruppert Landscape (#17-103B; RFP 17-103).

The City's Urban Forestry Program Manager will act as the City's project manager throughout all phases of the project, including installation, watering and warranty period. All installation is projected to be completed

by spring of 2021.

V. ALTERNATIVES:

VI. ATTACHMENTS:

FY 2021 Tree Planting Ruppert, Bethany Roundabouts Landscape Plans COUNCIL



Thursday, November 19, 2020

Property: City of Alpharetta

Project: FY 2021 Tree Planting & Landscape Improvements

Attn: Will

Ruppert Landscape proposes to furnish all labor, tools, materials, equipment and insurance necessary to perform the following Landscape Enhancements at the above referenced property. Specifically, the scope of work shall be described herein:

Bethany at Mid-Broadwell:

Plants			Material Unit	Margin/ Mark-	Total Material	Unit Installation	Total Unit	Total Item
Qty	Description	Size	Cost	up	Unit Price	Price	Price	Price
1	Esplanade Nuttall Oak	5"	\$ 796.08	\$ 651.34	\$ 1,447.42	\$ 468.00	\$ 2,456.12	\$ 2,456.12
36	Kaleidoscope Abelia	3 Gallon	\$ 22.76	\$ 18.63	\$ 41.39	\$ 11.34	\$ 106.81	\$ 3,845.16
10	Rose Creek Abelia	3 Gallon	\$ 17.84	\$ 14.60	\$ 32.44	\$ 11.34	\$ 97.86	\$ 978.60
72	Crimson Fire Loropetalum	3 Gallon	\$ 25.84	\$ 21.14	\$ 46.98	\$ 11.34	\$ 112.40	\$ 8,092.80
21	Liriope Spicata	Flat	\$ 32.92	\$ 26.93	\$ 59.85	\$ 2.48	\$ 96.11	\$ 2,018.31
72	Creeping Phlox 'Emerald Pink'	1 Gallon	\$ 8.00	\$ 6.54	\$ 14.54	\$ 5.50	\$ 47.08	\$ 3,389.76
1	Quercus Bicolor 'Bonnie and Mike'	4"	\$ 413.45	\$ 338.28	\$ 751.72	\$ 468.00	\$ 1,760.42	\$ 1,760.42
2	Quercus Palustris 'Pringreen'	4"	\$ 413.45	\$ 338.28	\$ 751.72	\$ 468.00	\$ 1,760.42	\$ 3,520.84
9	Roll 18" x 20' Root Barrier		\$ 56.42	\$ 102.58	\$ 102.58	\$ 120.00	\$ 222.58	\$ 2,003.21

COST: \$28,065.23

Bethany at Mayfield:

Plants			Material Unit	Margin/ Mark-	Total Material	Unit Installation	Watering	Watering Total	Total Unit	Total Item
Qty	Description	Size	Cost	up	Unit Price	Price	Unit Price	Price/ 1 yr	Price	Price
1	Esplanade Nuttall Oak	5"	\$ 862.42	\$ 705.62	\$ 1,568.04	\$ 468.00	\$ 540.70	\$ 540.70	\$ 2,576.74	\$ 2,576.74
111	Kaleidoscope Abelia	3 Gallon	\$ 22.76	\$ 18.63	\$ 41.39	\$ 11.34	\$ 54.08	\$ 6,002.88	\$ 106.81	\$ 11,855.91
188	Crimson Fire Loropetalum	3 Gallon	\$ 25.84	\$ 21.14	\$ 46.98	\$ 11.34	\$ 54.08	\$ 10,167.04	\$ 112.40	\$ 21,131.20
48	Liriope Spicata	Flat	\$ 32.92	\$ 26.93	\$ 59.85	\$ 2.48	\$ 33.78	\$ 1,621.44	\$ 96.11	\$ 4,613.28
290	Creeping St. Johnswort	1 Gallon	\$ 9.23	\$ 7.55	\$ 16.78	\$ 5.50	\$ 27.04	\$ 7,841.60	\$ 49.32	\$ 14,302.80
2	Shawnee Brave Bald Cypress	4"	\$ 363.00	\$ 297.00	\$ 660.00	\$ 468.00	\$ 540.70	\$ 1,081.40	\$ 1,668.70	\$ 3,377.40
4	Quercus Palustris 'Pingreen'	4"	\$ 413.45	\$ 338.28	\$ 751.72	\$ 468.00	\$ 540.70	\$ 2,162.80	\$ 1,760.42	\$ 7,041.68
10	Roll 18" x 20' Root Barrier		\$ 56.42	\$ 102.58	\$ 102.58	\$ 120.00			\$ 222.58	\$ 2,225.79

COST: \$67,124.80

Westside Parkway Tree Replacements:

Plants			Material Unit	Margin/ Mark-	Total Material	Unit Installation	Total Unit	Total Item
Qty	Description	Size	Cost	up	Unit Price	Price	Price	Price
1	Chinese Pistache	4"	\$ 486.05	\$ 397.68	\$ 883.72	\$ 468.00	\$ 1,892.42	\$ 1,892.42
2	European Hornbeam	4"	\$ 486.05	\$ 397.68	\$ 883.72	\$ 468.00	\$ 1,892.42	\$ 3,784.84
1	Prairiefire Crabapple	3"	\$ 276.86	\$ 226.52	\$ 503.39	\$ 375.00	\$ 1,419.09	\$ 1,419.09
			\$ -	\$ -	\$ -		\$ -	\$ -
			\$ -	\$ -	\$ -		\$ -	\$ -
12.0	Removal of Dead plant material		\$ -	\$ -	\$ -	\$ 65.00	\$ 65.00	\$ 780.00
			\$ -	\$ -	\$ -		\$ -	\$ -

COST: \$7,876.35

Canton Street Median:

Plants			Material Unit	Margin/ Mark-	Total Material	Unit Installation	Total Unit	Total Item
Qty	Description	Size	Cost	up	Unit Price	Price	Price	Price
3	Epic Red Oak	4"	\$ 609.10	\$ 498.35	\$ 1,107.45	\$ 462.00	\$ 1,942.53	\$ 5,827.59
10.0	Transplant of existing shrubs and groundcover		\$ -	\$ -	\$ -	\$ 65.00	\$ 65.00	\$ 650.00
			\$ -	\$ -	\$ -		\$ -	\$ -
			\$ -	\$ -	\$ -		\$ -	\$ -

COST: \$6,477.59

Cost for Watering per Specifications for All Installed Plant Material for 1 year included in pricing.

**Cost for Watering per Specifications for All Installed Plant Material:
Year Two –**

Materials			Material Unit Cost	Margin/ Mark-up	Total Material Unit Price	Unit Installation Price	Labor Total	Total Unit Price	Total Item Price
Qty	Description	Size							
18	Tree Diapers		\$ 79.98	\$ 65.44	\$ 145.42	\$ 60.00	\$ 1,080.00	\$ 205.42	\$ 3,697.56
			\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -		\$ -	\$ -	\$ -

COST: \$3,697.56

**Installation of Miscellaneous Shrubs/Groundcover and Associated Watering:
COST: \$40,000.00**

TOTAL COST: \$153,241.53

***All planting covered under City of Alpharetta 02900 Landscaping Specifications**

Payment shall be requisitioned upon completion and will be due, in full, within fifteen (15) days. Due to the availability of certain plant material, this proposal shall only be valid for thirty (30) days. Following thirty (30) days the price for this proposal will need to be evaluated. If this proposal meets with your approval, please sign and return one copy. If I may be of further service, please contact me at 770-931-9900 or (678)630-2553.

Sincerely,

Acceptance of Proposal

Daniel Stutts
Area Manager
Ruppert Landscape, Inc.

Client: _____

Name: _____

Title: _____

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N/
LI
D.B. 5533
TAX
22-4310

811
®

The logo consists of the large, bold, black numbers "811" with a registered trademark symbol (®) to the upper right. Below the numbers is a black silhouette of a shovel, with the blade pointing upwards and the handle extending downwards. The entire logo is set against a white background.

lcc / 54 —
agk / 22 —
QGP / 1 (20lf RB) —

lcc / 48

QGP / 1 (50lf RB)

ls / 72

ARB / 1

ls / 738

$$hc / 125$$

TSB / 1 (60lf RB)

agk / 20

N/F
JBGL ATLANTA DEVELOPMENT LLC
P.B. 384, PG. 82
TAX ID.
22-432011012043

LOT #45
RUTH'S FARM S/D

—agk / 47

—TSB / 1

—hc / 165

— ls / 54

—QGP / 1 (50lf RB)

— lcc / 32

MAYFIELD RD
(R/W VARIES)

— QGP / 1 (20lf RB)

— agk / 22

— lcc / 54

1790 Hembree Road
Alpharetta, Georgia
30009

Phone: 678-297-6200
Fax: 678-297-6201

LANDSCAPE PLANS

BETHANY RD AT MAYFIELD RD ROUNDABOUT

CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

[illegible]

SHEET TITLE

LANDSCAPE PLAN

DATE: _____

SHEET #

L. 100

PLANT SCHEDULE

<u>KEY</u>	<u>LATIN NAME</u>	<u>COMMON NAME</u>	<u>SIZE & PLANTING SPECS</u>	<u>QTY</u>
agk	Abelia x grandiflora 'Kaleidoscope'	Kaleidoscope Abelia	3 gal, full, 30" o.c.	111
ARB	Acer rubrum 'Built to Last'	Built to Last Red Maple	5" cal, 18'-20' ht., full & balanced canopy	1
hc	Hypericum calycinum	Creeping St. Johnswort	1 gal, full, 18" o.c. staggered rows	290
lcc	Loropetalum chinense 'Crimson Fire'	Crimson Fire Loropetalum	3 gal, full, 30" o.c.	188
ls	Liriope spicata	Creeping Lilyturf	4" pot, full, 18" o.c. staggered rows	864
TSB	Taxodium distichum 'Shawnee Brave'	Shawnee Brave Bald Cypress	4" cal, 16'-18' ht., full & balanced canopy	2
QGP	Quercus palustris 'Pingreen'	Green Pillar Pin Oak	4" cal, 16'-18' ht., full & balanced canopy	4
	<u>OTHER ITEMS</u>			
	Hardwood Mulch	-	3" depth, brown hardwood mulch as approved by City	LS (contractor must provide CY quantity)
RB	Root Barrier	-	18" height root barrier in 20' rolls	200 LF

NOTES:

- See specifications Section 029009 - Landscaping, pertaining to this set of plans.
- All trees must have a single central leader and a full and uniform canopy, unless otherwise specified.
- Unless otherwise specified: Trees shall be planted during dormant season, November 1-February 28. Shrubs and groundcovers shall be planted April 1-30.

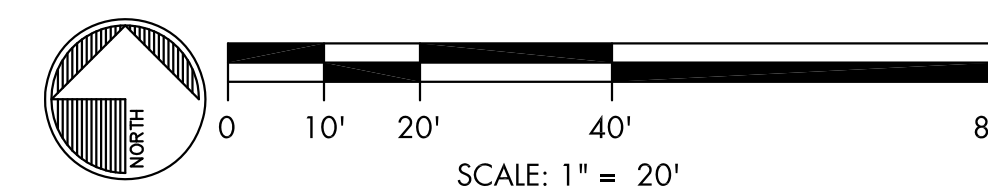
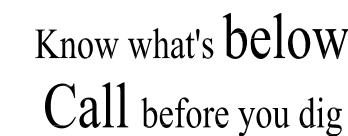


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LANDSCAPE PLANS
BETHANY RD AT MAYFIELD RD ROUNDABOUT
CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



1790 Hembree Road
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30009

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LANDSCAPE PLANS
BETHANY ROAD AT MID BROADWELL ROAD
ROUNDBOUT
CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

[illegible]

SHEET TITLE

LANDSCAPE PLAN

DATE: _____
SHEET # **L. 100**

PLANT SCHEDULE

KEY	LATIN NAME	COMMON NAME	SIZE & PLANTING SPECS	QTY
ARB	Acer Rubrum 'Built to Last'	Built to Last Red Maple	5" cal, 18'-20' ht., full & balanced canopy	1
agk	Abelia x grandiflora 'Kaleidoscope'	Kaleidoscope Abelia	3 gal, full, 30" o.c.	36
arc	Abelia x grandiflora 'Rose Creek'	Rose Creek Abelia	3 gal, full, 30" o.c.	10
lcc	Loropetalum chinense 'Crimson Fire'	Crimson Fire Loropetalum	3 gal, full, 30" o.c.	72
ls	Liriope spicata	Creeping Lilyturf	4" pot, full, 18" o.c. staggered rows	378
pep	Phlox subulata 'Emerald Pink'	Creeping Phlox	1 gal, 24" o.c., staggered rows	72
QBB	Quercus bicolor 'Bonnie and Mike'	Beacon Swamp White Oak	4" cal, 16'-18' ht., full & balanced canopy	3
QGP	Quercus palustris 'Pingreen'	Green Pillar Pin Oak	4" cal, 16'-18' ht., full & balanced canopy	4
	OTHER ITEMS			
	Hardwood Mulch	-	3" depth, brown hardwood mulch as approved by City	LS (contractor must provide CY quantity)
RB	Root Barrier	-	18" height root barrier in 20' rolls	165 LF

- NOTES:
- See specifications Section 029009 - Landscaping, pertaining to this set of plans.
 - Unless otherwise stated, all trees must have a single central leader and a full and uniform canopy.
 - Trees shall be planted during dormant season, November 1-February 28. Shrubs and groundcovers shall be planted April 1-30.

THE CITY OF

ALPHARETTA

PUBLIC WORKS

1790 Hembree Road

Alpharetta, Georgia

30009

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LANDSCAPE PLANS

BETHANY ROAD AT MID BROADWELL ROAD

ROUNDABOUT

CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

REVISIONS

SHEET TITLE

PLANT SCHEDULE

DATE:

SHEET #

L.200



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Public Safety

Submitted By: Shawn Mitchell

Sponsored By:

Meeting Date: November 30, 2020

I. AGENDA ITEM TITLE: QUINT AERIAL LADDER FIRE TRUCK ACQUISITION
(REPLACEMENT OF FIRE ENGINE #82 FROM ACTIVE DUTY)

II. RECOMMENDATION:

Approve acquisition of one (1) replacement Fire Engine with one (1) Quint Aerial Ladder Fire Truck (Pierce) through Ten-8 Fire Equipment of Georgia at a cost of \$1,311,250.

Adopt the attached Resolution authorizing the Mayor to execute a lease agreement, and all associated documents, with Truist Bank for the purposes of funding the Quint acquisition.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT.
BUDGET: YES

TOTAL PROJECT COST: \$113,792.25 ANNUAL CAPITAL LEASE
PAYMENT (\$1,311,250 CAPITAL LEASE FINANCING).

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
Quint Acquisition (30131150-542200-C1241)	\$1,311,250.00
Capital Lease - P&I (programmed into 2022 budget)	\$113,792.25

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
Quint Lease-Financing (30131150-393500-C1241)	\$1,311,250.00
-	\$0.00

IV. REPORT IN BRIEF:

This request is for the purchase of the following:

- One (1) new Pierce Quint Aerial Ladder Fire Truck ("Quint Fire Truck") to replace the existing Pierce Fire Engine #82 which was acquired in 2012. Fire Engine #82 has over 73,000 miles and has reached the Public Safety Department's targeted service life (10-years) and will be placed in the reserve fleet. The City will surplus Fire Engine #88 which is currently in the reserve fleet (2007 model) and has over 102,000 miles.

Service Summary (current status)

The Public Safety Department's fire services division is focused on serving the residents, business owners, and visitors of Alpharetta by protecting their lives, property, and enhancing quality of life.

Alpharetta accomplishes this mission through its six (6) fire stations which are strategically located throughout the city. Fire Apparatus currently servicing these stations include six (6) Fire Engines (e.g. water pumpers) and two (2) Aerial Ladder Trucks (one owned by Alpharetta; one owned by the City of Milton but currently stationed at Alpharetta Fire Station 81).

Alpharetta's fire service delivery and coverage, in addition to implementation of best practices and special

operations capabilities (e.g. HAZMAT, etc.), has facilitated achievement of ISO (Insurance Services Office) Class 1 ranking, the strongest ranking available. ISO Class 1 rank recognizes Alpharetta's strong commitment to the health and safety of its citizens, business owners, visitors, and stakeholders.

Every fire station requires an apparatus with water pumping capability (e.g. Fire Engine). Utilization of an Aerial Ladder Truck is dependent upon development with jurisdictions like Alpharetta having a minimum of two (2) Aerial Ladder Trucks in addition to the pumper fleet.

Service Summary (forecast)

The City of Milton has completed construction of its Public Safety Headquarters and is in the process of renovating its Fire Station 42. Once the renovations are complete, Milton will redeploy its fire apparatus including removal of their Aerial Ladder Truck from Alpharetta's Fire Station 81. It's important to note that even though Milton is redeploying its Aerial Ladder Truck from Alpharetta, the two cities still operate under a mutual aid agreement and will augment fire suppression capabilities in each jurisdiction. That said, the removal of the ladder capabilities from Alpharetta boundaries does represent an impact to service delivery capabilities.

Due to development growth patterns (e.g. building heights, etc.), it is vital that Alpharetta have two (2) Aerial Ladder Trucks within municipal boundaries to respond to service calls. That said, staff also understands the fiscal constraints inherent in procuring and staffing an extra fire apparatus. With that in mind, staff recommends replacing Fire Engine #82 (reached the end of its active service life) with a Quint Aerial Ladder truck that provides water-pumping and aerial ladder functionality.

However, the Quint does require additional staffing over the existing Fire Engine. Specifically, 6 personnel (2 per shift) will be programmed into the FY 2022 budget (3 Lieutenants and 3 Fire Apparatus Engineers; est. cost of \$600K annually). The FY 2022 budget will also include a proposal requesting the purchase of an F-250 (est. one-time cost including equipment of \$200K) to serve as a Rescue-Rapid Response unit to augment service capabilities and reduce the response of the Quint to lower priority incidents. The requested personnel will be utilized as staffing for the Rescue-Rapid Response unit while the Quint is not in the field. The lower planned utilization of the Quint also enables the city to extend its useful life from the normal 10-years (typical Fire Engine Pumper) to 13-years which is represented in the proposed financing terms.

It should be noted that the Quint proposal is significantly more cost effective for the city than buying an additional aerial ladder truck and, when combined with the Rescue-Rapid Response unit, arguably provides better service to our stakeholders. Specifically, a stand-alone aerial truck would require 9 new positions (vs. 6 for the quint = \$300K annual savings) in addition to a net savings of over \$500K in capital costs (replacement Fire Engine and Aerial Ladder vs. Quint and Rescue-Rapid Response Vehicle).

Quint Aerial Ladder Truck Acquisition

Pierce is the city's approved single source provider of fire engines/trucks. Pricing for the Pierce Quint Aerial Ladder Fire Truck quoted herein is in accordance with the competitively bid contract (RFP #1905) awarded to Pierce by the National Purchasing Partners (NPP). RFP 1905 became effective May 27, 2020 and is valid until May 27, 2023 (with an option for three additional 1-year renewals). Under the Procurement Code, the City is authorized to piggy-back off of competitively procured contracts provided through other governmental entities. Ten-8 and Pierce representatives have stated that the pricing under this contract is the most competitive and forms the basis of what would be provided to the City under a standalone bid scenario.

- Pierce Quint Aerial Ladder Fire Truck acquisition cost (one vehicle and equipment; less allocable pre-payment discount): \$1,311,250.

Capital Lease Program

As previously mentioned, the Public Safety Department's targeted service life for the Quint will be 13-years (due to the Rescue-Rapid Response Vehicle picking up service calls).

- Pierce Quint Aerial Ladder Fire Truck (Qty: 1)

The Finance Department solicited quotes for the fire ladder truck financing from five (5) financial institutions and obtained the following results: Truist (1.80%); PNC (2.67%); Bank of America (max 10-year term); Wells Fargo (max 10-year term); and Public Sector Capital (max 10-year term). The pandemic has created uncertainty within the financial markets leading some lending institutions to limit the financing terms for certain classes of equipment (as can be seen above). Best practices for financing transactions such as these match the financing term to the anticipated service life which in

this case is 13-years.

Truist provided the most competitive interest rate and is the recommended partner for this transaction. Transaction terms include:

- Loan amount: \$1,311,250
- 13-year term;
- 1.80% fixed interest rate;
- no closing costs; and
- \$113,792.25 annual payment.

The Quint is estimated to take approximately 12 months to construct. As such, the Quint will be delivered on or before December 2021 (FY 2022). The additional staffing (previously discussed), and capital lease funding (additional +\$60K annually above the previous Fire Engine lease payment) will be programmed into the FY 2022 budget. Additionally, the Rescue-Raid Response unit capital request will be a consideration for the 2022 capital plan.

V. ALTERNATIVES:

see *Report In Brief* section above.

VI. ATTACHMENTS:

Ten-8 Quote (Quint), Resolution (Schedule F), Truist - Lease Supplements, Counsel Opinion, NPP Contract Overview (Pierce)



Equipment Proposal

This Equipment Proposal (the "Proposal") has been prepared by Ten-8 Fire Equipment of Georgia, LLC ("Company") in response to the undersigned Customer's request for a proposal. This Proposal is comprised of the special terms set forth below, the Proposal Option List, Warranty, and Company's Purchasing Terms and Conditions. Through its signature below or other Acceptance (as defined below), Customer acknowledges having received, read and being bound by this Proposal, all attachments and Company's Purchasing Terms and Conditions.

Date: October 12, 2020 ("Proposal Date") **Customer:** Alpharetta Georgia ("Customer")

Customer Address: Alpharetta GA

Quantity	Product Description & Options	Price
1	Pierce ascendant 107' aerial, includes equipment and mounting	\$1,350,480.00
	Subtotal	
	Prepay discount (100% at time of order)	(\$39,230.00)
Purchase Price:		\$1,311,250.00

Delivery Timing: The Product described above in the Product Description and Options Section of this document will be built by and shipped from the manufacturer approximately 11.5 (months) after Company receives Customer's acceptance of this Proposal as defined below.

Other: Quote valid until January 15, 2021

ACCEPTANCE OF THIS PROPOSAL CREATES AN ENFORCEABLE BINDING AGREEMENT BETWEEN COMPANY AND CUSTOMER. "ACCEPTANCE" MEANS THAT CUSTOMER DELIVERS TO COMPANY: (A) A PROPOSAL SIGNED BY AN AUTHORIZED REPRESENTATIVE, OR (B) A PURCHASE ORDER INCORPORATING THIS PROPOSAL, WHICH IS DULY APPROVED, TO THE EXTENT APPLICABLE, BY CUSTOMER'S GOVERNING BOARD. ACCEPTANCE OF THIS PROPOSAL IS EXPRESSLY LIMITED TO THE TERMS CONTAINED IN THIS PROPOSAL AND COMPANY'S PURCHASING TERMS AND CONDITIONS. ANY ADDITIONAL OR DIFFERENT TERMS, WHETHER CONTAINED IN CUSTOMER'S FORMS OR OTHERWISE PRESENTED BY CUSTOMER AT ANY TIME, ARE HEREBY REJECTED.

INTENDING TO CREATE A BINDING AGREEMENT, Customer and Company have each caused this Proposal to be executed by their duly authorized representatives as of date of the last signature below.

Customer: Alpharetta GA

By: _____

Print: _____

Title: _____

Date: _____

Ten-8 Fire Equipment of Georgia, LLC

By: _____

Print: _____

Authorized Sales Representative

Date: _____

EXHIBIT A

PROPOSAL OPTION LIST

EXHIBIT B

WARRANTY

EXHIBIT C

PURCHASING TERMS AND CONDITIONS

PURCHASING TERMS AND CONDITIONS

(Georgia)

These Purchasing Terms and Conditions, together with the Equipment Proposal and all attachments (collectively, the "Agreement") are entered into by and between Ten-8 Fire Equipment of Georgia, LLC, a Georgia corporation ("Company") and Customer (as defined in Ten-8 Fire Equipment of Georgia, LLC's Equipment Proposal document) and is effective as of the date specified in Section 3 of these Purchasing Terms and Conditions. Both Company and Customer may be referred throughout this document individually as a "party" or collectively as the "parties."

1. Definitions.

- a. **"Acceptance"** has the same meaning set forth in Company's Equipment Proposal.
- b. **"Company's Equipment Proposal"** means the Equipment Proposal provided by Company and prepared in response to Customer's request for proposal for a fire apparatus, associated equipment or an ambulance.
- c. **"Cooperative Purchasing Contract"** means an Agreement between Company and a public authority, including without limitation, a department, division, agency of a municipal, county or state government ("Public Authority"), that adopts or participates in an existing agreement between Company and another non-party customer (including, but not limited to such non-party customer's equipment proposal, its applicable exhibits, attachments and purchasing terms and conditions), often referred to as a "piggyback arrangement," which is expressly agreed to, in writing, by Company. Company has sole discretion to determine whether it will agree to such a Cooperative Purchasing Contract.
- d. **"Delivery"** means when Company delivers physical possession of the Product to Customer.
- e. **"Manufacturer"** means the Manufacturer of any Product.
- f. **"Prepayment Discount"** means the prepayment discounts, if any, specified in Company's Equipment Proposal.
- g. **"Product"** means the fire apparatus and any associated equipment, or ambulance manufactured or furnished for Customer by Company pursuant to the Specifications.
- h. **"Purchasing Terms and Conditions"** means these Purchasing Terms and Conditions; however, if the Company's Equipment Proposal or the Customer's related Purchase Order states that it is governed by a Cooperative Purchasing Agreement, "Purchasing Terms and Conditions" shall mean those terms and conditions set forth in the applicable Cooperative Purchasing Agreement.
- i. **"Specifications"** means the general specifications, technical specifications, training, and testing requirements for the Product contained in Company's Equipment Proposal and its Exhibit A (Proposal Option List or for ambulance sales, the Quotation, or Order Form, as applicable), prepared in response to Customer's request for such a proposal.

2. Purpose. This Agreement sets forth the terms and conditions of Company's sale of the Product to Customer.

3. Term of Agreement. This Agreement will become effective on the date of Acceptance as defined in Company's Equipment Proposal ("Effective Date") and, unless earlier terminated pursuant to the terms of this Agreement, it will terminate upon Delivery and payment in full of the Purchase Price.

4. Purchase and Payment. Customer agrees to pay Company the Purchase Price for the Product(s) as set forth in Company's Equipment Proposal ("Purchase Price"). The Purchase Price is in U.S. dollars. Where Customer opts for a Prepayment Discount that specifies that Customer will tender one or more prepayments to Company, Customer must provide each prepayment within the time frame specified in the Equipment Proposal in order to receive the Prepayment Discount for that prepayment installment.

5. Representations and Warranties. Customer hereby represents and warrants to Company that the purchase of the Product(s) has been approved by Customer in accordance with applicable general laws and, as applicable, Customer's charter, ordinances and other governing documents, and funding for the purchase has been duly budgeted and appropriated.

6. Cancellation/Termination.

- a. Fire Equipment and Apparatus Sales. In the event this Agreement is cancelled or terminated by Customer before completion, Company may charge Customer a cancellation fee. The following

charge schedule is based on costs incurred by Manufacturer and Company for the Product, which may be applied and charged to Customer: (a) 12% of the Purchase Price after the order for the Product(s) is accepted and entered into Manufacturer's system by Company; (b) 22% of the Purchase Price after completion of approval drawings by Customer, and; (c) 32% of the Purchase Price upon any material requisition made by the Manufacturer for the Product. The cancellation fee will increase in excess of (c) in this Section 6, accordingly, as additional costs are incurred by Manufacturer and Company as the order progresses through engineering and into the manufacturing process.

- b. Ambulance Sales. This Section 6 for Cancellation/Termination does not apply to Ambulance Sales. An order for an ambulance cannot be cancelled or terminated once Company receives and processes Customer's Acceptance of Company's Equipment Proposal.
7. Delivery. The Product is scheduled to be delivered as specified in the Delivery Timing section of the Equipment Proposal ("Delivery Timing"), which will be F.O.B. Company's facility. The Delivery Timing is an estimate, and Company is not bound to such date unless it otherwise agrees in writing. Company is not responsible for Delivery delays caused by or as the result of actions, omissions or conduct of the Manufacturer, its employees, affiliates, suppliers, contractors, and carriers. All right, title and interest in and to the Product, and risk of loss, shall pass to Customer upon Delivery of the Product(s) to Customer.
8. Standard Warranty. The manufacturer warranties applicable to this Agreement, if any, are attached to Company's Equipment Proposal as Exhibit A and are incorporated herein as part of the Agreement.
 - a. Disclaimer. EXCEPT AS OTHERWISE SET FORTH IN THIS AGREEMENT, COMPANY, INCLUDING ITS PARENT COMPANY, AFFILIATES, SUBSIDIARIES, AND THEIR RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES, SHAREHOLDERS, AGENTS OR REPRESENTATIVES DO NOT MAKE ANY REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, WITH RESPECT TO THE PRODUCTS PROVIDED UNDER THIS AGREEMENT, WHETHER ORAL OR WRITTEN, EXPRESS, IMPLIED OR STATUTORY. WITHOUT LIMITING THE FOREGOING DISCLAIMER, ANY IMPLIED WARRANTY OR CONDITION OF MERCHANTABILITY, IMPLIED WARRANTY AGAINST INFRINGEMENT, AND IMPLIED WARRANTY OR CONDITION OF FITNESS FOR A PARTICULAR PURPOSE ARE EXPRESSLY EXCLUDED AND DISCLAIMED. STATEMENTS MADE BY SALES REPRESENTATIVES OR IN PROMOTIONAL MATERIALS DO NOT CONSTITUTE WARRANTIES.
9. Limitation of Liability. COMPANY WILL NOT BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL, INDIRECT, ECONOMIC, PUNITIVE, SPECIAL OR EXEMPLARY DAMAGES ARISING FROM OR IN ANY WAY CONNECTED WITH THIS AGREEMENT WITHOUT REGARD TO THE NATURE OF THE CLAIM OR THE UNDERLYING THEORY OR CAUSE OF ACTION (WHETHER IN CONTRACT, TORT, STRICT LIABILITY, EQUITY OR ANY OTHER THEORY OF LAW) ON WHICH SUCH DAMAGES ARE BASED. COMPANY'S LIMIT OF LIABILITY UNDER THIS AGREEMENT SHALL BE CAPPED AT THE TOTAL AMOUNT OF THE MONIES PAID BY CUSTOMER TO COMPANY UNDER THIS AGREEMENT.
10. Force Majeure. Company shall not be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond Company's control which make Company's performance impracticable, including but not limited to civil wars, insurrections, strikes, riots, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, including transportation or delivery losses outside of Company's control, any act of government, delays in transportation, inability to obtain necessary labor supplies or manufacturing facilities, allocation regulations or orders affecting materials, equipment, facilities or completed products, failure to obtain any required license or certificates, acts of God or the public enemy or terrorism, failure of transportation, epidemics, quarantine restrictions, failure of vendors (due to causes similar to those within the scope of this clause) to perform their contracts or labor troubles causing cessation, slowdown, or interruption of work.
11. Customer's Obligations. Customer shall provide its timely and best efforts to cooperate with Company and Manufacturer during the manufacturing process to create the Product. Reasonable and timely cooperation

includes, without limitation, Customer's providing timely information in response to a request from Manufacturer or Company and Customer's participation in traveling to Manufacturer's facility for inspections and approval of the Product.

12. Default. The occurrence of one or more of the following shall constitute a default under this Agreement: (a) Customer's failure to pay any amounts due under this Agreement or Customer's failure to perform any of its obligations under this Agreement; (b) Company's failure to perform any of its obligations under this Agreement; (c) either party becoming insolvent or becoming subject to bankruptcy or insolvency proceedings; (d) any representation made by either party to induce the other to enter into this Agreement, which is false in any material respect; (e) an action by Customer to dissolve, merge, consolidate or transfer a substantial portion of its property to another entity; or (f) a default or breach by Customer under any other contract or agreement with Company.
13. Manufacturer's Statement of Origin. Company shall retain possession of the manufacturer's statement of origin ("MSO") for the Product until the entire Purchase Price has been paid. If more than one Product is covered by this Agreement, Company shall retain the MSO for each individual Product until the Purchase Price for that Product has been paid in full.
14. Arbitration. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The Arbitration shall take place in Forsyth, Georgia.
15. Miscellaneous. The relationship of the parties established under this Agreement is that of independent contractors and neither party is a partner, employee, agent, or joint venture of or with the other. Neither party may assign its rights and obligations under this Agreement without the prior written approval of the other party. This Agreement and all transactions between Ten-8 Fire Equipment of Georgia LLC will be governed by and construed in accordance with the laws of the State of Georgia. The delivery of signatures to this Agreement may be via facsimile transmission or other electronic means and shall be binding as original signatures. This Agreement shall constitute the entire agreement and supersede any prior agreement between the parties concerning the subject matter of this Agreement. This Agreement may only be modified by an amendment, in writing, signed by duly authorized representatives of both parties with authority to sign such amendments to this Agreement. In the event of a conflict between the Ten-8 Proposal and these Terms and Conditions, the Ten-8 Proposal shall control except in the case of a Cooperative Purchasing Contract as set forth in Section 1(b) and (g) of these Purchasing Terms and Conditions. If any term of this Agreement is determined to be invalid or unenforceable by a competent legal authority, such term will be either reformed or deleted, as the case may be, but only to the extent necessary to comply with the applicable law, regulation, order or rule, and the remaining provisions of the Agreement will remain in full force and effect.



Proposal Option List

7/22/2020

Customer:	Alpharetta Fire Department	Bid Number:	843
Representative	Amlong, Jeff	Job Number:	
Organization:	Ten-8 Fire Equipment, Inc	Number of Units:	1
Requirements Manager:		Bid Date:	07/30/2020
Description:	Alpharetta 2020 Ascendant PUC	Stock Number:	
Body:	Aerial, HD Ladder 107' ASL Single, PUC, Quint, Alum Body	Price Level:	39 (Current: 39)
Chassis:	Enforcer Chassis, Aerials, Single Axle, Ascendant PUC	Lane:	

Line	Option	Type	Option Description	Qty
1	0766640		Boiler Plates, Aerial 107' ASL	1
			Fire Department/Customer - Alpharetta	
			Operating/In conjunction W-Service Center - Operating	
			Miles - 50 Miles	
			Number of Fire Dept/Municipalities - 5	
			Bidder/Sales Organization - Ten-8 Fire & Safety	
			Delivery - Delivery representative	
			Dealership/Sales Organization, Service - Ten-8 Fire & Safety	
2	0018180		Single Source Compliance, Aerials	1
3	0584456		Manufacture Location, Appleton, Wisconsin	1
4	0584452		RFP Location: Appleton, Wisconsin	1
5	0588609		Vehicle Destination, US	1
6	0610784		Comply NFPA 1901 Changes Effective Jan 1, 2016, With Exceptions	1
7	0533351		Quint Fire Apparatus	1
8	0588612		Vehicle Certification, Aerial w/Pump	1
9	0681278		Agency, Apparatus Certification, Aerial w/Pump, U.L.	1
10	0056880		Requirements of Apparatus Manufacturer	1
11	0000114		Inspection Trip(s)	2
			Qty, - 02	
			Fill in Blank - up to 5 per trip	
12	0009999		Service Facility (to be used as a base)	1
13	0536644		Customer Service Website	1
14	0620361		Consortium, GPO	1
15	0537375		Unit of Measure, US Gallons	1
16	0030006		Bid Bond Not Requested	1
17	0582697		Performance Bond, 100 Percent w/Warranty Bond, 1 Yr, and Payment Bond	1
			Percentage, Contract - 100	
18	0000007		Approval Drawing	1
19	0002928		Electrical Diagrams	1
20	0612098		Enforcer Chassis, Aerials, Single Axle, Ascendant PUC	1
21	0000110		Wheelbase	1
			Wheelbase - 235	
22	0000070		GVW Rating	1
			GVW rating - 56,300	
23	0649713		Frame Rails, 10.25" x 3.50" x .375", Saber FR/Enf	1
24	0620712		Frame Liner, Internal "C", 9.38" x 3.13" x .25", w/Reinforcement,67"Qval,SFR/Enf	1
25	0629940		Axle, Front, Oshkosh TAK-4, Non Drive, 22,800 lb, Enforcer	1
26	0010427		Suspension, Front TAK-4, 22,800 lb, Qtm/AXT/Imp/Vel/DCF/Enf	1
27	0087572		Shock Absorbers, KONI, TAK-4, Qtm/AXT/Imp/Vel/DCF/Enf	1
28	0000322		Oil Seals, Front Axle	1
29	0594821		Tires, Front, Goodyear, G296 MSA, 425/65R22.50, 20 ply	1
30	0019611		Wheels, Front, Alcoa, 22.50" x 12.25", Aluminum, Hub Pilot	1
31	0603826		Axle, Rear, Meritor RS30-185, 33,500 lb, Saber FR/Enforcer	1
32	0544244		Top Speed of Vehicle, 60 MPH	1
33	0122073		Suspen, Rear, Standens, Spring, 33,500 lb, Imp/Vel/Dash CF/Enf	1
34	0000485		Oil Seals, Rear Axle	1
35	0631579		Tires, Rear, Goodyear, G291, 315/80R22.50, LRL, Single, Fire Service Load Rat	1
36	0019668		Wheels, Rear, Alcoa, 22.50" x 9.00", Aluminum, Hub Pilot, Single	1
37	0568081		Tire Balancing, Counteract Beads	1
38	0620570		Tire Pressure Monitoring, RealWheels, AirSecure, Valve Cap, Single Axle	1
			Qty, Tire Pressure Ind - 6	

Line	Option	Type	Option Description	Qty
39	0003245		Axle Hub Covers w/center hole, S/S, Front Axle	1
40	0001960		Axle Hub Covers, Rear, S/S, High Hat (Pair)	1
41	0057936		Covers, Lug Nut, Chrome	1
42	0002045		Mud Flap, Front and Rear, Pierce Logo	1
43	0760675		Chains, Onspot, Automatic Tire, Custom	1
44	0646362		Chocks, Wheel, Worden HWGY- SB, Super Gripper	1
			Qty, Pair - 01	
45	0646364		Mounting Brackets, Chocks, Worden Safety, Model U815T	1
			Location, Wheel chock - DS, one each side of rear axle	
			Qty, Pair - 01	
46	0010670		ABS Wabco Brake System, Single rear axle	1
47	0030185		Brakes, Knorr/Bendix 17", Disc, Front, TAK-4	1
48	0000740		Brakes, Meritor, Cam, Rear, 16.50 x 8.63"	1
49	0058463		Air Compressor, Brake, Bendix 15.8 CFM	1
50	0637584		Brake Reservoirs, 5,376 Cubic Inch Minimum Capacity, Saber FR/Enforcer	1
51	0644228		Air Dryer, Wabco System Saver 1200 IWT, Heated, Saber FR/Enforcer	1
52	0070790		Brake Lines, Nyl w/Wire Reinf At Ea Brake Chamber	1
53	0000854		Air Inlet, w/Disconnect Coupling	1
			Location, Air Coupling(s) - a) DS Step Well, Forward	
			Qty, Air Coupling (s) - 1	
54	0000860		Outlet, Air, with shut off valve	1
			Location, Air Coupling(s) - a) DS Step Well	
			Qty, Air Coupling (s) - 1	
55	0070810		All Wheel Lockup (Aerial/Tanker Chassis)	1
56	0630142		Moisture Ejectors, Automatic, w/Heat, All Tanks, Enforcer/Saber FR	1
57	0615609		Fittings, Compression Type, Entire Apparatus, Single Rear Axle	1
58	0610858		Engine, DDC DD13, 525 hp, 1850 lb-ft, W/OBD, EPA 2016, REPTO, Enforcer	1
59	0001244		High Idle w/Electronic Engine, Custom	1
60	0590300		Engine Brake, Jacobs Compression Brake, DD13	1
			Switch, Engine Brake - f) DD13	
61	0644227		Clutch, Fan, Air Actuated, Saber FR/Enforcer	1
62	0640477		Air Intake, Metal Screen, Saber FR/Enforcer	1
63	0565965		Exhaust System, 5", 2010 DD13, ISX engine, Horizontal, Right Side	1
64	0585771		Exhaust, Modified for MagneGrip System, 7.00" x 5.00", Diffuser Engines	1
65	0788765		Radiator, Saber FR/Enforcer	1
66	0001090		Cooling Hoses, Rubber	1
67	0001125		Fuel Tank, 65 Gallon, Left Side Fill	1
68	0001129		Lines, Fuel	1
69	0595087		DEF Tank, 4.5 Gallon, DS Fill, Forward of Rear Axle	1
			Door, Material & Finish, DEF Tank - Polished Stainless	
70	0552793		Not Required, Fuel Priming Pump	1
71	0552712		Not Required, Shutoff Valve, Fuel Line	1
72	0553019		Cooler, Engine Fuel, Imp/Vel, AXT/Qtm/Sab/DCF/SFR/Enf	1
73	0690880		No Selection Required From This Category	1
74	0642533		Trans, Allison 5th Gen, 4500 EVS P, w/Prognostics, Imp/Vel/DCF/Enf	1
75	0633606		Transmission, Shifter, 6-Spd, Push Button, 4500 EVS, 5+1 Mode, AXT/Qtm/DCF/Enf	1
			Trans, ratio - 4500 EVS, 6Spd	
76	0517604		Transmission Programming, Park to Neutral, PUC	1
77	0684459		Transmission Oil Cooler, Modine, External	1
78	0539711		Label, TRANSynd Transmission Fluid Only	1
79	0535530		Mode, Downshift, Aggressive downshift to 2nd, w/engine brake, 6 speed	1
80	0565656		Fluid, 4000/4500 Series Transmission, TranSynd synthetic, IPOS, Custom	1
81	0001375		Driveline, Spicer 1810	1
82	0669988		Steering, Sheppard M110 w/Tilt, TAK-4, Eaton Pump, w/Cooler	1
83	0605356		Steering Wheel, 4 Spoke without Controls, Saber FR/Enforcer	1
84	0550144		Logo/Emblem, on Horn Button	1
			Text, Row (1) One - alpharetta	
			Text, Row (2) Two - fire	
			Text, Row (3) Three - rescue	
85	0096752		Winch, Warn, 9,000 lb. XD9000i, Portable Receiver, Synthetic, Polished Fairlead	1
86	0018193		Bumper, 22" Extended, Painted, Reinforced, Saber FR/Enforcer	1

Line	Option	Type	Option Description	Qty
87	0633479		Hose Restraint, Bumper Tray, Velcro Straps, Pair	1
			Qty, Pair - 01	
88	0630841		Tray, (1) Hose Left Side of Bumper, 13" Deep	1
			Grating, Bumper extension - Grating, Rubber	
			Capacity, Bumper Tray - 59) 140" of 1.75"	
89	0625557		Hose Restraint, Not Required, Cover Included with Other Option	1
90	0620614		Tray, (1) Hose Right Side of Bumper, 13" Deep	1
			Grating, Bumper extension - Grating, Rubber	
			Capacity, Bumper Tray - 21) 150" of 1.75"	
91	0625556		Hose Restraint, Not Required, Cover Included with Other Option	1
92	0614646		No Lift & Tow Package, Imp/Vel, AXT, SFR/Enf	1
93	0002270		Tow Hooks, Chrome	1
94	0067702		Receiver, Portable Winch, At Front Bumper, 10K Pull, w/Power	1
95	0611670		Equipment Tray, Full Width Cover, Tools In Center	1
			Make/Model - Holmatro battery cutter and spreader	
96	0762394		Lights, Amdor, 12" Amdor AY-LB-12HW012 Light, Front Bumper Cover	2
			Qty, - 02	
97	0698960		Coating, Top Flange, Front Bumper, Outside Exterior, Line-X Coating, Black	1
98	0789614		Cab, Enforcer, 7010 w/Notch, PUC	1
99	0647918		Engine Tunnel, DD13, Enforcer	1
100	0610508		Rear Wall, Interior, Adjustable Seating, Not Available	1
101	0632103		Rear Wall, Exterior, Cab, Saber FR/Enforcer	1
			Material, Exterior Rear Wall - Aluminum Treadplate Full Coverage	
102	0639727		Cab Lift, Elec/Hyd, Manual Override, Saber FR/Enforcer	1
103	0695930		Grille, Bright Finished, Front of Cab, Dash CF/Enforcer	1
104	0002224		Scuffplates, S/S At Cab Door Jambs, 4-Door Cab	1
			Material Trim/Scuffplate - c) S/S, Polished	
105	0647932		Not Required, Trim, S/S Band, Across Cab Face, AXT/Dash CF/Saber/Enforcer	1
106	0015440		No Chrome Molding, On side of cab	1
107	0521669		Mirrors, Retractable, West Coast Style, Htd/Rmt, w/Htd/Rmt Convex	1
108	0072189		Mirror, 8.00" Convex, Cab Front, Front Cross View	1
109	0648172		Door, Full Height, Saber FR/Enforcer 4-Door Cab, Raised Roof	1
			Key Model, Cab Doors - 751	
110	0655543		Door Panel, Brushed Stainless Steel, Saber/Enforcer 4-Door Cab	1
111	0630636		Controls, Electric Roll-Up Windows, 4dr, 4 Driver Controls, Saber FR/Enforcer	1
112	0638310		Steps, 4-Door Cab, Saber FR/Enforcer	1
			Step Well Material - Aluminum Treadplate	
113	0770194		Handrail, Exterior, Knurled, Alum, 4-Door Cab	1
114	0634786		Lights, Cab and Crew Cab Access Steps, P25, LED w/Bezel, 1Lt Per Step 6lts	1
115	0583698		Fenders, S/S on cab, Extra Wide, Saber/Enf	1
116	0557023		Handrail, 10", Below Cab Windshield, Pair	1
117	0042105		No Windows, Side of Crew Cab	1
118	0779033		Not Required, Windows Rear of Crew Cab, Saber FR/Enforcer	1
119	0786279		Window Tint, Crew Cab Door, Right Side, Privacy Dark Gray	1
120	0786286		Window Tint, Upper Crew Cab Door, Right Side, Privacy Dark Gray	1
121	0786294		Window Tint, Upper Crew Cab Door, Left Side, Privacy Dark Gray	1
122	0786290		Window Tint, Crew Cab Door, Left Side, Privacy Dark Gray	1
123	0022260		Roof, Aluminum Treadplate	1
124	0619947		Lip, Dash Board, 1.00" Aluminum Angle Lip, Officer Side	1
125	0553057		Holder, Cup, Cab/Crewcab, Each	2
			Qty, - 02	
126	0634206		Mounting Provisions, 1/4" Alum, Full Engine Tunnel, Saber FR/Enforcer	1
			Mounting Provision Spacing - 1.00"	
			Material Finish, Cab Interior - Painted	
127	0615196		Web Netting, Fasteners, Cab Interior	1
			Location - mounting tray on rear of engine tunnel, netting to be oversized for the tray	
			Qty, - 01	
			Type of fastener - Velcro	
			Restraint Location - Front (towards front of truck)	

Line	Option	Type	Option Description	Qty
128	0606278		Tray, Equipment Mounting, Aluminum, Lip, Size Location - rear of the engine tunnel Qty, - 01 Size - to fit the flat surface at the rear of the engine tunnel Material Finish, Cab Interior - Painted Lip - 2.00"	1
129	0750824		Cab Interior, Vinyl Headliner, Saber FR/Enforcer, CARE Color, Cab Interior Vinyl/Fabric - Endure Vinyl - Silver/Gray Engine Tunnel Cover - Dark Silver Gray Endure Vinyl Cab Interior Rear Wall Material - Painted Aluminum	1
130	0753903		Cab Interior, Paint Color, Saber FR/Enforcer Color, Cab Interior Paint - i) fire smoke gray	1
131	0052100		Floor, Rubber Padded, Cab & Crew Cab, Saber/Enforcer	1
132	0741237		HVAC, Saber/Enforcer, CARE HVAC System, Filter Access - Removable Panel Auxiliary Cab Heater - Both HVAC System, Control Loc. - Panel Position #12	1
133	0639675		Sun Visor, Smoked Lexan, AXT, Dash CF, Imp/Vel, Saber FR/Enforcer Sun Visor Retention - No Retention	1
134	0632041		Grab Handles, Driver and Officer Door Posts, Officer Dash Panel, Saber FR/Enf	1
135	0583938		Lights, Engine Compt, Custom, Auto Sw, WIn 3SC0CDCR, 3" LED, Trim Qty, - 01	1
136	0631830		Fluid Check Access, Saber FR/Enforcer, Arrow XT	1
137	0767953	SP	Map Box, 1 Bin, 4 Glove Box, 4 Radio, 2 Cup Holders, Mobile Location - ship loose	1
138	0583039		Not Required, Side Roll and Frontal Impact Protection	1
139	0622619		Seating Capacity, 4 Seats	1
140	0636957		Seat, Driver, Pierce PSV, Air Ride, High Back, Saber FR/Enforcer	1
141	0636946		Seat, Officer, Pierce PSV, Fixed, SCBA, Saber FR/Enforcer	1
142	0620420		Radio Compartment, Below Non-Air Ride Seat, Saber FR/Enforcer	1
143	0757988		Cabinet, Rear Facing, LS, 23 W x 40.25 H x 26.75 D, Roll, SFR/Enf Light, Short Cabinet - Pierce, Interior, Right Side and Pierce, Interior, Left Side Light, Short Cabinet - Pierce, Interior, Right Side and Pierce, Interior, Left Side Material Finish, Shelf - Painted - Cab Interior Shelf/Tray, Cabinet - (1) Shelf, Adjustable, 0.75" Up-Turned Lip Door, Cab Interior Cabinet - Rollup, Gortite, Anodized, Locking #751 Louvers, Cabinet - 0-No Louvers	1
144	0102783		Not Required, Seat, Rr Facing C/C, Center	1
145	0757961		Cabinet, Rear Facing, RS, 22 W x 40.25 H x 26.75 D, Roll, SFR/Enf Light, Short Cabinet - Pierce, Interior, Right Side and Pierce, Interior, Left Side Light, Short Cabinet - Pierce, Interior, Right Side and Pierce, Interior, Left Side Material Finish, Shelf - Painted - Cab Interior Shelf/Tray, Cabinet - (1) Shelf, Adjustable, 0.75" Up-Turned Lip Door, Cab Interior Cabinet - Rollup, Gortite, Anodized, Locking #751 Louvers, Cabinet - 0-No Louvers	1
146	0632947		Seat, Forward Facing C/C, DS Outboard, Pierce PSV, SCBA, Foldup, Saber FR/Enf	1
147	0763679	SP	Cabinet, Fwd Fcng, Ctr, 36 W x 24 H x 28 D, 2" Web, Arm, Stg, SFR/Enf PUC Type of fastener - seat belt buckle Restraint Location - Bottom (towards the ground) Light, Short Cabinet - Pierce, Interior, Right Side and Pierce, Interior, Left Side Material Finish, Shelf - Painted - Cab Interior Shelf/Tray, Cabinet - (1) Shelf, Adjustable, 0.75" Up-Turned Lip Louvers, Cabinet - 0-No Louvers	1
148	0632874		Seat, Forward Facing C/C, PS Outboard, Pierce PSV, SCBA, Foldup, Saber FR/Enf	1
149	0766467		Upholstery, Seats In Cab, All Vinyl, Seats Inc, CARE Color, Cab Interior Vinyl/Fabric - Endure Vinyl - Silver/Gray Qty, - 04	4
150	0543991		Bracket, Air Bottle, Hands-Free II, Cab Seats Qty, - 03	3

Line	Option	Type	Option Description	Qty
151	0690610		Embroidery, Seats, Cab and Crew Cab	1
			Qty, Seats Embroidery - 4 Seats	
152	0603866		Seat Belt, Dual Retractor, ReadyReach, Saber FR/Enforcer	1
			Seat Belt Color - Red	
153	0602464		Helmet Storage, Provided by Fire Department, NFPA 2016	1
154	0647647		Lights, Dome, FRP Dual LED 4 Lts	1
			Color, Dome Lt - Red & White	
			Color, Dome Lt Bzl - Black	
			Control, Dome Lt White - Door Switches and Lens Switch	
			Control, Dome Lt Color - Lens Switch	
155	0602622		Portable Hand Light, Provided by Fire Department, Quint NFPA 2016 Classification	1
156	0622803		Cab Instruments, Black Gauges, Black Bezels, Enforcer MUX	1
			Emergency Switching - E-Master Only	
157	0509511		Air Restriction Indicator, Imp/Vel, AXT, Dash CF, Enf MUX	1
158	0683556		Light, Do Not Move Apparatus, Wln M2R Red LED	1
			Alarm, Do Not Move Truck - No Alarm	
159	0509042		Messages, Open Door/Do Not Move Truck, MUX w/Color Display	1
160	0622798		Switching, Cab Instrument Lower Console & Overhead, Rocker MUX, Enforcer	1
161	0644179		Wiper Control, 2-Speed with Intermittent, Saber FR/Enforcer	1
162	0002565		Hourmeter, Aerial Inside Cab	1
163	0002615		Switch, Aerial 12V Master	1
164	0002617		PTO switch, w/light - aerial	1
165	0790048		Wiring, Spare, 20 A 12V DC, 12 Circuit Fuse Block, Blue Sea 5032	1
			Qty, - 01	
			12vdc power from - Battery direct	
			Location - one behind the officer seat	
			12vdc power from 2 - a) battery direct	
166	0583917		Wiring, Spare, 15 A 12V DC 5th	4
			Qty, - 04	
			12vdc power from - Battery direct	
			Wire termination - 15 amp power point plug	
			Location - (2) officer side dash (2) in box, top of the forward facing EMS cabinet, centered, one each side of the USB outlet, must be forward facing	
167	0548009		Wiring, Spare, 20 A 12V DC 1st	2
			Qty, - 02	
			12vdc power from - Battery direct	
			Wire termination - Butt Splice	
			Location, Spare Wiring - Engine Tunnel - Officer's Side	
168	0610968		Wiring, Spare, 2.0 A 12V DC, USB Termination Blue Sea 1016 1st	2
			Qty, - 02	
			12vdc power from - Battery direct	
			Location - (1)- between the 2 - 12 volt outlets on the vertical surface on the outlet box, (1) on officer side dash	
169	0657222		Wiring, Spare, 20 A 12V DC, 12 Circuit Fuse Block, Blue Sea 5026 1st	1
			Qty, - 01	
			12vdc power from - Battery direct	
			Location - behind the driver seat	
170	0615386		Vehicle Information Center, 7" Color Display, Touchscreen, MUX	1
			System Of Measurement - US Customary	
171	0734857		Collision Mitigation, HAAS Alert (R2V), HA5	1
			Subscription, HAAS R2V - R2V - 5 Year Data Plan Subscription	
172	0606247		Vehicle Data Recorder w/CZ Display Seat Belt Monitor	1
173	0602598		Intercom, Firecom 5100D Single Radio, 1 Wireless Base Station, 1-5 Wireless	1
			Location - TBD	
174	0006240		Cable, Radio to Intercom Interface, Firecom, 1 Radio	1
			Radio, First Two-Way Make - Motorola High Power	
			Radio, First, Two-Way Model - Motorola APX 7500 HP	
175	0602027		Headset, Firecom, Wireless, UHW-503 Under Helmet, Intercom Only	2
			Qty, - 02	
			Location - CC Seats	
176	0602376		Headset, Firecom, Wireless, UHW-505 Under Helmet, Radio Transmit	2
			Qty, - 02	
			Location, Headset - Driver Seat and Officer Seat	

Line	Option	Type	Option Description	Qty
177	0681408		Hangers For Headsets, NFPA, Each Qty, - 04 Location, Headset Hangers - Driver Seat, Officer Seat, DS Inbrd, Fwrdr Fcng Seat and PS Inbrd, Fwrdr Fcng Seat	4
178	0670250		Install Customer Provided Two-Way Radio(s), Enforcer Chassis Qty, - 01	1
179	0696439		Antenna Mount, Custom Chassis, Cable Routed to Instrument Panel Area Qty, - 01 Location, Antenna Mount - Right Side	1
180	0653526		Camera, Pierce, Driver Mux, Rear Camera Only Camera System Audio - Not Provided	1
181	0511071		Guard, 4-Way, Rear Vision Camera Qty, - 01 Location - rear camera	1
182	0796552		Pierce Command Zone, Advanced Electronics & Control System, Enforcer, Blk WiFi	1
183	0624253		Electrical System, Enforcer MUX	1
184	0079211		Batteries, (6) Exide Grp 31, 950 CCA each, Threaded Stud	1
185	0008621		Battery System, Single Start, All Custom Chassis	1
186	0002698		Battery Compartment, Saber/Enforcer	1
187	0593502		Charger, Sngl Sys, Newmar, EV-40, 023-5353-1 Indicator	1
188	0012782		Location, Charger, Front Left Side Body Compartment Location, Battery Chrgr/Cmpr - High On Left Wall	1
189	0530949		Location, Bat Chrg Ind, Driver's Seat Riser	1
190	0016848		Shoreline, 20A 120V, Kussmaul Auto Eject 091-20WP-120 Qty, - 01 Color, Kussmaul Cover - b) red Connection, Shoreline - battery charger	1
191	0026800		Shoreline Location Location, Shoreline(s) - Two (2) Cab Side	1
192	0009429		Electric Power Only, Portable Winch Location - front bumper reciever Qty, Receptacles - 01	1
193	0018588		Jumper Studs, At Driver Side Cab Step	1
194	0566294		Alternator, 430 amp, Niehoff C680-1	1
195	0092582		Load Manager/Sequencer, MUX Enable/Disable Hi-Idle - e)High Idle enable	1
196	0783153		Headlights, Rect LED, JW Spkr Evo 2, AXT/DCF/Enf/Imp/Sab/Vel Color, Headlight Bez - Chrome Bezel	1
197	0625953		Light, Directional, Wln 600 Cmb, Cab Crn, Wrp Bzl Out HD Lts, Enf, Sab FR Color, Lens, LED's - c)clear	1
198	0620054		Light, Directional/Marker, Intermediate, Weldon 9186-8580-29 LED 2lts	1
199	0647802		Lights, Clearance/Marker/ID, Front, P25 LED 5 Lts, Saber FR/Enforcer	1
200	0625210		Lights, Directional, Cab Front Side, Truck-Lite 19036Y LED, AXT/Enf	1
201	0534987		Lights, Clearance/Marker/ID, Rear, Truck-Lite 33050R LED 7Lts, Aerial	1
202	0524895		Not Required, Light, Marker End Outline	1
203	0517025		Lights, Tail, Wrap-around, Stop/Tail, Turn & Backup LED, Tri-Cluster	1
204	0085910		Lights, Backup Included in Signal Cluster	1
205	0664481		Bracket, License Plate & Light, P25 LED	1
206	0589905		Alarm, Back-up Warning, PRECO 1040	1
207	0064793	SP	Switch, Master Scene Light, In Cab Location - switch panel #2	1
208	0769569		Lights, Perimeter Cab, Amdor AY-LB-12HW012 LED 4Dr	1
209	0769559		Lights, Perimeter Pump House, Amdor AY-LB-12HW012 LED 2lts	1
210	0768498		Lights, Perimeter Body, Amdor AY-LB-12HW020 LED 1lt, Turntable Access Control, Perimeter Lts - Parking Brake Applied	1
211	0769567		Lights, Perimeter, Amdor AY-LB-12HW012 12" LED, Brkt Qty, Lights - 04 Location, Additional Perimeter Lights - Under Compt D1, 1lt, Under Compt D3, 1lt, Under Compt P1, 1lt and Under Compt P3, 1lt	4
212	0557322		Lights, Step, P25 at Rear Tailboard, PUC, 4lts Perm Lts	1
213	0603108		Light, HiViz FT-MB-24-TRGWA-*, 31.11" 2nd Location, Lights - over RS2 Qty, - 01	1

Line	Option	Type	Option Description	Qty
213			Control, Scene Lts - Cab Sw Panel DS Color, Lt Housing - White Scene Light Optics - Flood/Spot	
214	0640629		Light, Wln, 12V PCPSM1* Pioneer LED Fld/Spt, Surface Mount 1st Location, Lights - DS between cab doors Qty, - 01 Switch, Lt Control 1 DC,1 - a) DS Switch Panel Switch, Lt Control 2 DC,2 - e) No Control Switch, Lt Control 3 DC,3 - d) No Control Switch, Lt Control 4 DC,4 - d) No Control Color, Wln Lt Housing - Chrome Flange	1
215	0640627		Light, Wln, 12V PCPSM1* Pioneer LED Fld/Spt, Surface Mount 2nd Location, Lights - PS between the cab doors Qty, - 01 Switch, Lt Control 1 DC,1 - a) DS Switch Panel Switch, Lt Control 2 DC,2 - e) No Control Switch, Lt Control 3 DC,3 - d) No Control Switch, Lt Control 4 DC,4 - d) No Control Color, Wln Lt Housing - Chrome Flange	1
216	0603109		Light, HiViz FT-MB-24-TRGWA-*, 31.11" 1st Location, Lights - over LS2 Qty, - 01 Control, Scene Lts - Cab Sw Panel DS Color, Lt Housing - White Scene Light Optics - Flood/Spot	1
217	0632401		Light, Wln, 12V PCPSM1* Pioneer LED Fld/Spt, Surface Mount 3rd Location, Lights - one per side high on the rear Qty, - 02 Switch, Lt Control 1 DC,1 - a) DS Switch Panel Switch, Lt Control 2 DC,2 - Cup Switch At Rear SS Switch, Lt Control 3 DC,3 - d) No Control Switch, Lt Control 4 DC,4 - d) No Control Color, Wln Lt Housing - Chrome Flange	2
218	0618234		Light, Visor, Wln, 12V PSL2* Pioneer LED Spotlit 1st Qty, - 02 Location, driver's/passenger's/center - 1DS & 1PS Switch, Lt Control 1 DC,1 - a) DS Switch Panel Switch, Lt Control 2 DC,2 - e) No Control Switch, Lt Control 3 DC,3 - d) No Control Switch, Lt Control 4 DC,4 - d) No Control Color, Wln Lt Housing - White Paint Light, Visor, Flash - Steady Burning	2
219	0565198		Not Required, Deck Lights, Other Hose Bed & Rear Lighting, Aerial	1
220	0645877		Lights, Hose Bed, Sides, Dual LED Light Strips Control, Hose Bed Lts - Cup Switch At Rear SS	1
221	0645677		Lights, Not Required, Rear Work, Alt. 12 Volt Lights At Rear Body	1
222	0709438		Light, Walking Surf, FRP Flood, LED	1
223	0612611		Aerial, HD Ladder 107' ASL Single, PUC, Quint, Alum Body	1
224	0554271		Body Skirt Height, 20"	1
225	0695184	SP	Tank, Water, 400 Gallon, Poly, PAL, PUC	1
226	0003405		Overflow, 4.00" Water Tank, Poly	1
227	0028104		Foam Cell Required	1
228	0553729		Not Required, Restraint, Water Tank, Heavy Duty	1
229	0003429		Not Required, Direct Tank Fill	1
230	0624711		Hose Bed, Alum, LS/RS, Ascendant Single Axle	1
231	0003492		Hose Bed Capacity, Special Amount, Ascendant, 100AAT, PAP, PAL Capacity, Hosebed - RS: 1000' of 5" LS: 400' of 3"	1
232	0604069		Hose Restraint, Two (2) Hose Beds, Aerial, Front Strap, 1" Heavy Nylon Web Rear	1
233	0670766		Running Boards, Flip Out, PUC, Aerial	1
234	0735735		Turntable Steps, Swing-Down, Lit Handrails, LS, Non-TCO, Ascendant Single Color, Handrail Light - Red Control, Handrail Light - Parking Brake Step, Flip - No Flip Step	1

Line	Option	Type	Option Description	Qty
234			Body Handrail Finish - knurled aluminum lit Step Retention - black rubber plungers Step Surface, Turntable - Punched Grip	
235	0554001		Lights, Step (3), P25 LED, Swing Down Access Steps, One Side	1
236	0690023		Wall, Rear, Smooth Aluminum	1
237	0074515		Tow Eyes (2), 100AAT, Ascendant Single Axle, 75' HAL	1
238	0624701		Construction, Compt, Alum, 3rd Gen, Ascendant Single Axle	1
239	0624699		Compt, LS F/H, Roll Drs, Ascendant Single Axle	1
240	0624694		Compt, LS Turntable, F/H, Roll Dr, Ascendant Single Axle	1
241	0023672		Compt, IPO Stairs, Not Required, LS	1
242	0624693		Compt, RS F/H, Roll Drs, Ascendant Single Axle	1
243	0708788		Compt, RS Turntable, F/H, Roll Dr, One (1) Large Rear Compt, Ascendant Single Axle	1
244	0708767		Compt, IPO Stairs, Not Required, RS, Ascendant Single Axle	1
245	0615264		Compt, Rear, Gortite Rollup Door, Ascendant Single Axle	1
246	0603628		Doors, Gortite, Rollup, Side Compartments, Ascendant Single Axle Qty, Door Accessory - 09 Color, Roll-up Door, Gortite - Painted to Match Lower Body Latch, Roll-up Door, Gortite - Non-Locking Liftbar	9
247	0624690		Bumper, Rear, Aluminum Rub Rail, Ascendant Single Axle	1
248	0689549		Lights, Compt, Pierce LED, Dual Light Strips, Each Side of Door Location - All body compartments Qty, - 09	9
249	0659657		Lights, Compt, Amdor, AY-9220-21, 21", Each Location, Lights - mounted in the turntable step well, one per side in the rear wall corners, centered top to bottom. to come on with the parking brake Qty, - 02	2
250	0761022		Lights, Cargo/Dunnage, Amdor AY-LB-12HW020 Brkt Location - on the front sheet of the body above the cargo area Qty, - 01 Control, Scene Lts - Step Lights, Body	1
251	0687145		Shelf Tracks, Recessed, PUC/3rd Generation	1
252	0600289		Shelves, Adj, 500 lb Capacity, Full Width/Depth, Predefined Locations, Aerial Qty, Shelf - 04 Material Finish, Shelf - Painted - Spatter Gray Location, Shelves/Trays, Predefined - LS1-Transition Point, RS3-Transition Point, RS3-Lower Third and LS2-Centered	4
253	0603179		Tray, Floor Mounted, Slide-Out, 500lb, 2.00" Sides, 3G, Ascendant Single Axle Qty, - 03 Location, Tray Slide-Out, Floor Mounted - RS1, RS3 and LS1 Material Finish, Tray - Painted - Spatter Gray	3
254	0544614		Toolboard, Swing-out, Alum, .188", Peg Board, 3G Qty - 1 Location, Pivot - Front Mounting, Toolboard - Stationary Hole Diameter, Pegboard/Toolboard - .281" diameter Finish, Pegboard/Toolboard - Painted - Spatter Gray Location, Toolboard - RS2	1
255	0709346		Toolboard, Slide-out, Alum, .188", Peg Board, Predefined Locations Qty, - 02 Mounting, Toolboard - Adjustable side-side Hole Diameter, Pegboard/Toolboard - .281" diameter Finish, Pegboard/Toolboard - Painted - Spatter Gray Location, Partition/Toolboard, Predefined - RS4 - 8.00" From Forward Door Frame and RS4- 24.00" From Forward Door Frame	2
256	0558499		Drawer Assembly, CTECH, Three Drawers, Up To 36" Wide Location - LS3 Qty, - 01 Size, Drawer Height 1 (Top) - 4.00" Size, Drawer Height 2 - 5.75" Size, Drawer Height 3 - 7.75"	1
257	0062238		Pegboard, Side Wall Mounted, 3/16" Alum Location - LS3 Qty, Comp. Accessory - 02	2

Line	Option	Type	Option Description	Qty
257			Configuration - upper section, covered front and back Hole Diameter, Pegboard/Toolboard - .281" diameter Finish, Pegboard/Toolboard - Painted - Spatter Gray	
258	0755527		Pegboard, Back Wall Mounted, 3/16" Alum, Standard Depth Upper Qty, Comp. Accessory - 01 Hole Diameter, Pegboard/Toolboard - .281" diameter Finish, Pegboard/Toolboard - Painted - Spatter Gray Location, Compartment, Predefined - LS3	1
259	0061917		Rub Rail, Aluminum Extruded, 3.12", Side of Body	1
260	0565606		Fender Crowns, Rear, S/S, w/Removable Fender Liner, Aerial, 3rd Gen	1
261	0519849		Not Required, Hose, Hard Suction	1
262	0611527		Handrails Located @ Front Body, Hansen Knurled Alum LED Backlit Switch, Handrail Light Control - Park Brake Color, Light, Hansen Handrail - Red	1
263	0609286		Handrail, Extra - 15-20" Long, Hansen Tubing, Knurled Alum LED Backlit Location, Handrails - one per side on the rear, for the pull out steps Qty, Handrails - 02 Switch, Handrail Light Control - Park Brake Color, Light, Hansen Handrail - Red	2
264	0780893		Compt, Extinguisher (2) in Fender Panel, Triangular Dr, Ascendant Single Axle Qty, - 01 Location, Air Bottle - (1) RS Behind Rr Wheel Door Finish, Fender Compt - Polished Latch, Air Bottle Compt - Flush Lift & Turn Insert, Air Bottle Compt - Rubber Matting	1
265	0074030		Compt, Air Bottle, Dbl, in Fender Panel, Alum, 3rd Gen. Qty, Air Bottle Comp - 2 Location, Air Bottle - (1) LS Ahead Rr Wheel and (1) RS Ahead Rr Wheel Door Finish, Fender Compt - Polished Latch, Air Bottle Compt - Flush Lift & Turn Insert, Air Bottle Compt - Rubber Matting	2
266	0004218		Ladder, 35' Duo-Safety 1200A 2-Sect Qty, - 1	1
267	0010406		Ladder, 28' Duo-Safety 1200A 2-Section Qty, - 1 Location, Extension Ladder - torque box	1
268	0595251		Ladder, 16' Duo-Safety 875-DR Roof, Hooks Both Ends Qty, - 02	2
269	0652466		Ladder, 20' Duo-Safety 875-DR Roof Qty, - 01	1
270	0024233		Not Required, Attic Extension Ladder	1
271	0600819		Ladder, 10' Duo-Safety Folding, 585A, Ascendant Single Axle, 75' HAL Qty, - 01 Location, Folding Ladder Aerial - ladder storage	1
272	0798795		Ladders Stored at Rear, Ascendant SA, Ladders Thru RS Front Body, Smooth Alum Drs	1
273	0709970		Lights, Ladder Storage, Truck-Lt 44042C, LED Round, Ascendant Single, 75' HAL	1
274	0768608	SP	Tag, Special Location - R3 compartment on interior sill plate - (2) 16 FT. ROOF and (1) 10 FT. FOLDING LADDER TAGS. R1 compartment on interior sill plate - (1) 35 FT. 2 SECTION and (1) 28 FT. 2 SECTION tags Qty, - 05	5
275	0753999	SP	Stop, Ladder, Poly Block Fill in Blank - match 32580	1
276	0610203		Narrowed Trough, for Two (2) Two-Section Extension Ladders, In Ladder Compt	1
277	0602706		Pike Pole, 12', Quint, Provided by Fire Department, NFPA 2016 Qty, - 01 Pike Pole Make/Model - Fire Hooks Unlimited New York Roof Hook, RH-12	1
278	0602688		Pike Pole, Quint, Provided by Fire Department, NFPA 2016 Qty, - 02 Pike Pole Make/Model - Fire Hooks Unlimited New York Roof Hook, RH-8	2
279	0602866		Pike Pole, 6', Quint, Provided by Fire Department, NFPA 2016 Qty, - 02	2

Line	Option	Type	Option Description	Qty
279			Pike Pole Make/Model - Akron 6' Pike Pole	
280	0548410		Not Required, Pole, Pike, 3'	1
281	0770572		Pike Pole Tubes, in Torque Box/Ladder Storage, Alum, Special Notch, NY Style	6
			Qty, - 06	
282	0024388		No Steps Required, Front Of Body	1
283	0760981		Step, Camper Style, Pull-Out & Drop Down, Rear Wall, Ascendant SA Rear Wall	2
			Qty, - 02	
			Location, driver's/passenger's/center - Left & Right	
			Light, Short Step - Amdor Lumabar	
			Light, Step, Additional - P25 LED	
284	0515695		Pump, Pierce, 1500 GPM, Single Stage, PUC	1
285	0515822		Seal, Mechanical, Silicon Carbide, PUC Pump	1
286	0515705		Gear Case, Pierce Pump, REPTO-Clutch Drive	1
287	0521309		Pumping Mode, Pump and Roll/Stationary, Basic, PUC	1
288	0515829		Pump Shift, Sure-Shift	1
289	0515833		Transmission Lock-up, Not Req'd, Park to Neutral, Pump, PUC	1
290	0515835		Auxiliary Cooling System, PUC	1
291	0014486		Not Required, Transfer Valve, Stage Pump	1
292	0746501		Valve, Relief Intake, Elkhart	1
			Qty - 1	
			Pressure Setting - 125 psig	
			Intake Relief Valve Control - Behind Right Side Pump Panel	
293	0515838		Controller, Pressure, Pierce, PUC	1
294	0072153		Primer, Trident, Air Prime, Air Operated	1
295	0658266		Thermal Relief Valve, w/Amber Warning Light and Alarm, PUC Pump	1
			Location, Thermal Relief Discharge - Ground	
296	0780359		Manuals, Pump, (2) Total, Electronic Copies, Pierce PUC Pump	1
297	0602496		Plumbing, Stainless Steel and Hose, Single Stage Pump, PUC	1
298	0795135		Plumbing, Stainless Steel, w/Foam System	1
299	0517852		Inlets, 6.00" - 1500 GPM, Pierce PUC Pump	1
300	0004646		Cap, Main Pump Inlet, Long Handle, NST, VLH	1
301	0084610		Valves, Akron 8000 series- All	1
302	0004660		Inlet, Left Side, 2.50"	1
303	0004680		Inlet, Right Side, 2.50"	1
304	0520002		Valve, Inlet(s) Recessed, Side Cntrl, PUC	2
			Qty, Inlets - 2	
305	0521137		Anode, Zinc, Pair, Pump Inlets, PUC	1
306	0004700		Control, Inlet, at Valve	1
307	0092569		No Rear Inlet (Large Dia) Requested	1
308	0092696		Not Required, Cap, Rear Inlet	1
309	0064116		No Rear Inlet Actuation Required	1
310	0009648		No Rear Intake Relief Valve Required on Rear Inlet	1
311	0092568		No Rear Auxiliary Inlet Requested	1
312	0563738		Valve, .75" Bleeder, Aux. Side Inlet, Swing Handle	1
313	0520277		Tank to Pump, (1) 3.00" Valve, 4.00" Plumbing, PUC	1
314	0595508		Outlet, Tank Fill, 1.50", PUC	1
315	0516755		Outlet, Left Side, 2.50" (2), PUC	1
316	0092570		Not Required, Outlets, Left Side Additional	1
317	0766761		Outlet, Right Side, 2.50", (1), Electric Akron 9335 Controller, PUC	1
			Qty, Discharges - 01	
318	0092571		Not Required, Outlets, Right Side Additional	1
319	0766992		Outlet, Right Side, 4" w/4" Valve, Akron 9335 Elec Controller, PUC	1
320	0649939		Outlet, Front, 1.50" w/2" Plumbing	1
			Fitting, Outlet - 1.50" NST with 90 degree swivel	
			Drain, Front Outlet - Automatic	
			Location, Front, Single - top of left bumper	
321	0092575		Not Required, Outlet, Rear	1
322	0092574		Not Required, Outlet, Rear, Additional	1
323	0092573		Not Required, Outlet, Hose Bed/Running Board Tray	1
324	0752097		Caps/Plugs for 1.00" to 3.00" Discharges/Inlets, Chain	1
325	0563739		Valve, 0.75" Bleeder, Discharges, Swing Handle	1
326	0055095		Not Required, Elbow, Left Side Outlets, 2.50"	1

Line	Option	Type	Option Description	Qty
327	0035094		Not Required, Elbow, Left Side Outlets, Additional	1
328	0021134		Not Required, Elbow, Right Side Outlets	1
329	0089584		Not Required, Elbow, Right Side Outlets, Additional	1
330	0045099		Not Required, Elbow, Rear Outlets	1
331	0085695		Not Required, Elbow, Rear Outlets, Large, Additional	1
332	0527969		Cap, Large Dia Outlet, 4.00", IPO Elbow	1
333	0766941		Control, Outlets, Swing Handle, Elec Right Outlets Akron 9335 w/Press Disp, PUC	1
334	0029106		Not Required, Deluge Outlet	1
335	0029302		No Monitor Requested	1
336	0029304		No Nozzle Req'd	1
337	0029107		No Deluge Mount	1
338	0527482		Waterway Outlet & Control, PUC	1
339	0739945		Crosslay Module, Full Width, Boom Compartment, Roll Up Doors, Aerial, PUC	1
340	0749510		Doors, Crosslay, Roll-up Gortite, Each End, Full Height, PUC	1
			Color, Roll-up Door, Gortite - Painted to Match Lower Body	
			Latch, Roll-up Door, Gortite - Non-Locking Liftbar	
			Door Guard - Drip Pan Required	
341	0750916		Crosslays, (2) 1.50", W/Poly Trays, PUC	1
			Crosslay/Deadlay/Speedlay Capacity 1 - 200' of 1.75" double jacket hose	
342	0746126		Crosslays, (2) 2.50", W/Poly Trays, PUC	1
			Crosslay/Deadlay/Speedlay Capacity 1 - 200' of 2.50" double jacket hose	
343	0029260		Not Required, Speedlays	1
344	0750536		Hose Restr, Spdly, Not Required, No Spdly	1
345	0032137		Foam Sys, External	1
346	0012126		Not Required, CAF Compressor	1
347	0552517		Not Required, Refill, Foam Tank	1
348	0755781		Foam Outlet(s), 1.00", Cam-Lock, Location, With 0.25" Flush	1
			Location - pump panel	
			Qty, Foam Outlets - 01	
			Location 2 - 25 gallon	
349	0031896		Demonstration, Foam System, Dealer Provided	1
350	0567745		Foam Cell, 25 Gallon, Not Reduce, PUC	1
			Type of Foam - Class "A"	
			Foam, Brand Name - TBD	
351	0091036		Drain, 1.00" Foam Tank #1	1
352	0091079		Not Required, Foam Tank #2	1
353	0091112		Not Required, Foam Tank #2 Drain	1
354	0609021		Pump Operators Panel & Module, Alum, Control Zone, Add'l Ladders, Ascendant SA, PUC	1
355	0738072		Approval Dwg, Pump Panel(s), Not Required	1
356	0032479		Pump Panel Configuration, Control Zone	1
357	0579545		Step, Slide-Out/Fold-Out, Pump Operator Platform, Aerial PUC	1
358	0667186		Light, Slide-Out Pump Operator Step, On Scene Solutions Access LED, Short Step	1
359	0516975		Material, Pump Panels, Operators Brushed Stainless, Sides Brushed Stainless, PUC	1
360	0516978		Pump and Plumbing Access, Simple Tilt Service, PUC	1
361	0520016		Not Required, Pumphouse Structure, PUC	1
362	0618458		Light, Pump Compt, WIn 3SC0CDCR LED White, PUC	1
			Qty, - 01	
363	0516983		Gauges, Engine, Included With Pierce Pressure Controller, PUC	1
364	0005601		Throttle, Engine, Incl'd w/Press Controller	1
365	0739224		Indicator Light @ Pump Panel, Throttle Ready, Incl w/Pressure Gov/Throttle, Green	1
366	0549333		Indicators, Engine, Included with Pressure Controller	1
367	0763096		Fittings, Compression IPO PTC, All Pump Panel Gauges	1
368	0553643		Control, Air Horn at Pump Panel w/Red Switch	1
369	0663913		Discharge Bezels, Color Coded	10
			Qty, Gauges/Disc. - 10	
			Color, Discharge Tag - match 30970	
370	0511078		Gauges, 4.00" Master, Class 1, 30"-0-600psi	1
371	0511100		Gauge, 2.00" Pressure, Class 1, 30"-0-400psi	1
372	0517009		Gauge, Water Level, Pierce, In pressure Controller, w/Mini Slave, PUC	1
			Activation, Water Level G - pg) pump in gear	

Line	Option	Type	Option Description	Qty
373	0604028		Water Level Gauge, FRC, MaxVision WLA280-A00 Programmable Remote Display Location - one per side rear of CC doors Qty, - 02 Activation, Water Level G - pb) parking brake is applied	2
374	0062992		Gauge, Foam Level, (1) Tank, Class 1, 5lt	1
375	0653081		Light, Pump Operator & Panel, Side Ctrl, PUC, 60354C LED Cab & LED OH Chr Cvr	1
376	0762746		Air Horn, Grover, "Train Horn", Behind Bumper Location - where best suited	1
377	0036062		Control, Air Horn, Horn Ring, PS Lanyard	1
378	0016056		Valve, Air Horn Shutoff	1
379	0534828		Siren, Wln 295SL101, 100 or 200W Removable Mic	1
380	0796642	SP	Location, Elect Siren, Recessed Overhead In Console, Painted Housing Location, Elec Siren - Overhead, Above Eng Tunnel Center	1
381	0693305		Control, Elec Siren, PS Push Button and Siren Head Location - officer side dash	1
382	0601304		Speaker, (2) Wln, SA315P, w/Pierce Polished Stainless Steel Grille, 100 watt Connection, Speaker - siren head	1
383	0678617		Location, Speaker, Frt Bumper, Recessed, Right and Left Side Corners	1
384	0016080		Siren, Federal Q2B	1
385	0006097		Location of Siren, Recessed in Bumper Location, Siren, Mech - c) center	1
386	0026163		Control, Mech Siren, DS & PS Foot Sw	1
387	0740391		Sw, Siren Brake, Momentary Chrome Push Button, RS	1
388	0610351		Lightbar, Wln, Freedom IV-Q, 2-21.5", RRWRR RRWRR Filter, Whl Freedom Ltbrs - No Filters	1
389	0605741		Lightbars, Wln, Freedom IV, 2-21.5", RRRR RRRR Lightbar Location, Cab/Crew Cab - c)over the cab doors Control, Light - gh) lightbar Filter, Whl Freedom Ltbrs - No Filters	1
390	0016380		No Additional Lights Req'd, Side Zone Upper	1
391	0750291	SP	Lights, Front Zone, Wln M6** M6** M6** M6** M6** M6** Wrap Hdl't Bzl 6lts Color, Lens, LED's - Clear Color, Lt DS Frnt Outside - Left Red Color, Lt PS Frnt Outside - Right Red Color, Lt DS Frnt Inside - Left Red Color, Lt PS Frnt Inside - Right Red Color, Lt DS Frnt Out Corner - Red Color, Lt PS Frnt Out Corner - Red Color, Q Bezel and Trim - Chrome	1
392	0757436		Light, Front, Roto Ray 4000W, PAR46 LED, 2-R, 1-W, Crm Hsn Btw Grl Windshield	1
393	0617880		Lights, Side Zone Lower, Wln M6V2**, M6**, M6** 6lts Location, Lights Mid - each side of cab rearward of crew cab doors Location, Lights Rear - each side above rear wheels Location, Lights Front Side - b)each side bumper Color, Lens, LED's - c)clear Color, Lt Side Front - Red Color, Lt Side Middle - Red Color, Lt Side Rear - Red Control, Scene Lts - Cab Sw Panel DS	1
394	0662115		Lights, Door Interior Flash, 4 Dr Cab, Wln ION* LED, Clear Lens Color, Lights, Warning - c) amber	1
395	0653165		Lights, Side, Wln WION* LED, Recessed in Cab Steps, 4lts, AXT/DCF/Enf/Imp/Vel Color, Lights, Warning - gla) red Control, Light - b) side warning	1
396	0672937		Lights, Side, Wln WIONSMC* LED, Chrome Flange, Mounted In Rub Rail, 1st Location, Lights - one each centered under the LS1, LS3, LS4, RS1, RS3, RS4 Qty, - 06 Color, Lights, Warning - gla) red Control, Light - b) side warning	6
397	0540783		Lights, Rear Zone Lower, Wln M6*C LED Color, Lt DS Rear - r) DS Rear Lt Red	1

Line	Option	Type	Option Description	Qty
397			Color, Lt PS Rear - r) PS Rear Lt Red	
398	0765423		Lights, Rear, Wln WION* LED, Recessed In Rear Tailboard Flange 2nd Location - one per side evenly spaced with the amber lights Qty, - 02	2
399	0765424		Color, Lights, Warning - Red Lights, Rear, Wln WION* LED, Recessed In Rear Tailboard Flange 1st Location - one per side evenly spaced with the red lights Qty, - 02	2
400	0750350		Color, Lights, Warning - Amber Lights, Rear, Wln M6# LED, Split Color, Clear Lens 1st Location - one per side on the rear, just below the scene lights (as shown on drawing) Qty, - 02 Control, Light - a) rear upper warning Color, Lt Rear Splt - Red out Amber in Color, Trim - Chrome Trim	2
401	0647024		Light, Rear Zone Upper, Wln Rota-Beam R316RF LED Beacon, Red LED, Red Lens	1
402	0006551		Not Required, Lights, Rear Upper Zone Blocking	1
403	0006646		Electrical System, 120/240VAC, General Design	1
404	0602101		Generator, Harrison 3.6 kW Hydraulic, 30A 120VAC Hotshift PTO	1
405	0006645		Generator Interlocks - Parking Brake Location, Hydraulic Generator Above Pump	1
406	0016752		Location, Generator(s) - Over Pump, Left Side Starting Sw, Truck Engine Powered Gen, Cab Sw Pnl	1
407	0016757		Not Required, Remote Start, Generator	1
408	0016740		Not Required, Fuel System	1
409	0016767		Not Required, Oil Drain Extension, Generator	1
410	0016771		Not Required, Routing Exhaust, Generator	1
411	0036738		Circuit Breaker Panel, Included With PTO Generator Location, Circuit Breaker Panel - LS3, Left Wall Low	1
412	0745228		Pump, Thru-Pump, For Hydraulic Driven Devices	1
413	0780360		Receptacle Strip, 20A 120V 6-Place, Interior Cab Qty, - 1 Location 1 - upper rear wall of the EMS cabinet	1
414	0779701		AC Power Source - Shoreline to Inverter Internal Transfer Sw Receptacle, 15/20A 120V 3-Pr 3-Wr SB Dup, 4 place, Interior Body Qty, - 01 Location 1 - LS3, centered high on the rear wall AC Power Source - Generator	1
415	0779707		Cover, Receptacle - Interior SS Wall plate Receptacle Strip, 20A 120V 6-Place, Interior Body Qty, - 01 Location 1 - 1) LS1, high on the rear wall centered AC Power Source - Shoreline to Inverter External Transfer Sw	1
416	0519546		Brand, Hydraulic Tool System, Holmatro	1
417	0755098		Aerial, 107' ASL Single Axle, 750/500 Tip, 35 MPH Wind	1
418	0000042		Boom Support, Rear of the Chassis Cab	1
419	0762413		Light, Boom Support, Amdor AY-LB-12HW012, 12" LED	1
420	0799581		Boom Support Compt Incl w/PUC Xlay Module Picked Separate, Ascendant SA PUC	1
421	0680225		Boom Panel, Pair, Special Size Paint, Color - silver/gray 224 same as previous Job 20279 Size - 16" high by 180" long, match 20279	1
422	0526885		Indicator, Extension, Inside and Outside Handrails, Every 10' Color - 2) red	1
423	0591645		Steps, Folding, Four, Aerial Device, Trident Coating, Step - black	1
424	0688232		Rung Covers, Aerial Device Rung Cover Color - Safety Yellow	1
425	0784202		Brackets Only, Roof Ladder, Base Section, Inboard of Boom Panel, Ascendant Qty, - 01	1

Line	Option	Type	Option Description	Qty
425			Location, Aerial Device - each side	
426	0642654		Roof Ladder, Make/Model, Multi-Select - 20' Duo-Safety 875-A-DR Scabbard, Temporary Vent Saw Storage, Aerial Ladder, Painted Qty, - 01 Fill in Blank - yellow	1
427	0678641		Location, Aerial Device - left side of aerial egress Brackets Only, Pike Pole, Aerial Fly Section Qty, - 01	1
428	0678711		Pike Pole Make/Model - Fire Hooks Unlimited 10' New York Roof Hook Brackets, Stokes Storage, Base Section, Inboard of Boom Panel Qty, - 01 Finish - Painted, Aerial Device Color	1
429	0601972		Location, Aerial Device - right side Lights, Turntable Walkway, P25, LED	1
430	0601949		Light, Turntable Console, TecNiq T-10, LED Strip Light	1
431	0624684		Control Stations, ASL Single Axle, MUX, Color Display	1
432	0624682		Stabilizers, One Set, Ascendant Single Axle	1
433	0782113		Material, Stabilizer Pad - Composite Doors, Stabilizer Control Box, Ascend Single MUX, Hinged Outboard, Smooth Alum	1
434	0615058		Stabilizer Placement, Cameras w/Command Zone Color Display, 1 Set	1
435	0624678		Hydraulic System, Ascendant Single Axle	1
436	0615180		Swivels, w/Encoder, ASL Single Axle, (28 Collector Rings)	1
437	0624676		Electrical System, ASL Single Axle, MUX	1
438	0605970		Lights, FRC SRA110* LED Trk Tip (PAL), 4lts	1
439	0734095	SP	Location, Sw, Arl DC Lts - m) 2 locations Color, FRC/Rom Lt Housing - FRC White Lighting, Rung, LED, TecNiq, 4 Section, Each Section 3 Colors RWB	1
440	0616374		Control, Aerial Rung Lighting - Turntable Sw w/Aerial Mstr Light, Locator, Wln M2W** At Tip, Facing Out, PAL/PAP, 2lts	1
441	0540737		Color, Light - f) blue Color, Lens, LED's - Clear Control, Aerial Rung Lighting - Aerial Not Stowed Lights, Stabilizer Warn (1) Set, Wln M6*C LED, Clear Lens	1
442	0617469		Color, Lt Rr Stabilzr Pan - r) Pan Light Red Lights, Wln T0R00FR LED 2", Stabilizer Beam (1) Set, Ascendant	1
443	0768550		Lights, Stabilizer Scene, Amdor AY-LB-12HW012, 12", 3lts LED, Ascendant Single	1
444	0006929		Not Required, 120v To Tip	1
445	0737181		Intercom, 2-Way Fire Research ICA910 Hands Free	1
446	0540895		Not Required, Breathing Air to Tip, Aerial Ladder	1
447	0024742		Not Required, Mask, Breathing Air To Tip	1
448	0610887		Aerial Pedestal, Ascendant Single Axle	1
449	0604457		Lifting Eye Assembly, Rope Rescue Attachment, ASL	1
450	0742064	SP	Hitch Receiver, 6000 lb, Ascendant Single Axle, Under Rear Body, w/Rear Steps	1
451	0616887		Hitch Receiver, 6000 lb, LS/RS, Under Body Sides, 75' HAL, Ascendant SA	1
452	0536374		Turntable Access, ManSaver Bars, Red	1
453	0624672		Waterway, High Flow, 1500 GPM, ASL	1
454	0603173		Monitor, TFT Typhoon Y5-EB1A-L30 Electric, w/Extended Vertical Travel	1
455	0010758		Nozzle, Monitor 1 PAL - TFT M-ERP1500 Electric 1500 gpm Flow Meter, Waterway, PAL, 110' Ascendant, MUX	1
456	0624671		Inlet, 5.00" w/5.00" Aluminum, Plumbing at Rear, w/Pump, Ascendant Single Axle	1
457	0673128		Quick-Lock Waterway Locking System, 100' HDL, 105' HDL, ASL	1
458	0518550		Outlet, 2.50" Auxiliary, LHS, Aerial Tip	1
459	0047901		Not Required, Tools, Aerial, PAL/PAP	1
460	0559494		Manuals and Training, 3 Consecutive Days, Ascendant Ladder, PAL	1
461	0007150		Bag of Nuts and Bolts Qty, Bag Nuts and Bolts - 1	1
462	0602497		NFPA Required Loose Equipment, Quint, NFPA 2016, Provided by Fire Department	1
463	0519913		Not Required, Soft Suction Hose	1
464	0027023		No Strainer Required	1
465	0602534		Extinguisher, Dry Chemical, Quint NFPA 2016, Provided by Fire Department	1
466	0602352		Extinguisher, 2.5 Gal. Pressurized Water, Quint, NFPA 2016, Provided by Fire Dept	1

Line	Option	Type	Option Description	Qty
467	0007482		Not Required, Crowbars	1
468	0007484		Not Required, Claw Tools	1
469	0602883		Axe, Flathead, Quint NFPA 2016, Provided by Fire Department	1
470	0602670		Axe, Pickhead, Quint NFPA 2016, Provided by Fire Department	1
471	0007494		Not Required, Sledgehammers	1
472	0559573		Paint, Single Color, Custom	1
			Paint Color, Predefined - #10 white	
473	0646901		Paint Chassis Frame Assy, With Liner, E-Coat, Standard	1
			Paint Color, Frame Assembly, Predefined - Standard Black	
474	0693797		No Paint Required, Aluminum Front Wheels	1
475	0693792		No Paint Required, Aluminum Rear Wheels	1
476	0733739		Paint, Axle Hubs	1
			Paint, Axle Hub - Black #101	
477	0007230		Compartment, Painted, Spatter Gray	1
478	0792617		Aerial Ladder Paint, ASL-Single Axle, E-Coat	1
			Paint Color, Aerial Device - Bright Silver Metallic 224	
			Paint Color, Egress - #90 Red with Lumicoat	
			Paint Color, Turntable - Silver/gray metallic 224	
			Paint Color, Boom Support - black 101	
			Paint Color, Cylinders - bright silver metallic 224	
			Paint Color, Aerial Control Console - bright silver metallic 224	
479	0544129		Reflective Band, 1"-6"-1"	1
			Color, Reflect Band - A - c) ruby red	
			Color, Reflect Band - B - n) ruby red	
			Color, Reflect Band - C - y) ruby red	
480	0007356		Reflective across Cab Face	1
481	0602751		Stripe, Chevron, Rear, Reflective, Non-NFPA 2016 Colors, Aerial	1
			Color, Reflect Band - A - c) ruby red	
			Color, Reflect Band - B - l) white	
482	0598747		Stripe, Reflective/Diamond Grade, Chevron Stripes, Two (2) Stabilizers	1
			Color, Reflect Band - A - c) ruby red	
			Color, Reflect Chev - A - a) white	
			Size, Stripe - b) 6.00"	
483	0017359		Stripe, Black Outline, Vinyl on Reflective Band	3
			Qty, - 03	
484	0512024		Stripe, Reflective, Chevron/Inverted "V", On Front Bumper	1
			Color, Reflect Band - A - c) ruby red	
			Size, Chevron Striping - 06	
			Color, Reflect Chev - A - a) white	
485	0022087		"Z" Ribbon, w/Shade in Reflective Stripe, Pair	1
			Qty, - 1	
486	0509398		Stripe, Reflective, Chevron, Cab and Crew Cab Doors Interior	1
			Color, Reflect Band - B - l) white	
			Size, Chevron Striping - 06	
			Color, Reflect Chev - A - c) ruby red	
487	0017773		Stripe, Gold Leaf, Side of Body, Over Fender Only, Single Axle	1
488	0680371		Stripe, Gold Leaf, Two-Tone Paint Break with Shield, IPO Chrome Molding	1
489	0027285		Stripe, Gold Leaf, Side of Cab, Low and Over Fender	1
490	0027372		Lettering Specifications, (GOLD STAR Process)	1
491	0686434		Lettering, Gold Leaf, 3.00", (21-40)	1
			Outline, Lettering - Outline and Shade	
492	0686221		Lettering, Gold Leaf, 7.00", Each	4
			Qty, Lettering - 04	
			Outline, Lettering - Outline and Shade	
493	0686042		Lettering, Reflective, 2.00", Each	18
			Qty, Lettering - 18	
			Outline, Lettering - Outline	
494	0686081		Lettering, Reflective, 3.00", (21-40)	1
			Outline, Lettering - Outline and Shade	
495	0685992		Lettering, Reflective, 10.00", (1-20)	1
			Outline, Lettering - Outline and Shade	
496	0685981		Lettering, Reflective, 14.00", Each	2
			Qty, Lettering - 02	

Line	Option	Type	Option Description	Qty
496			Outline, Lettering - Outline	
497	0686033		Lettering, Reflective, 4.00", Each	4
			Qty, Lettering - 04	
			Outline, Lettering - Outline and Shade	
498	0655896		Sign Kit, Painted, Holder and Insert, Each	2
			Location - one each on the crew cab doors	
			Qty, - 02	
			Size - 12X12	
499	0503179	SP	Emblems, Helmet, 24" Rear Roll Up	1
500	0017273		Emblem, Maltese Cross, Gold Leaf, 12"-14", Pair	2
			Qty, - 02	
			Location, Emblem - one pair to be on cab doors (per print)	
			1 sets to ship loose	
501	0666414		Emblem, Freedom Flag, Each	2
			Qty, - 02	
			Location, Emblem - upper crew cab area	
			Size, Flag - 12" - 14"	
502	0769753		Emblem, American Flag Painted on Cab Grille, All Custom Chassis	1
503	0529225		Manuals, Two (2) CD, Fire Apparatus Parts, Custom Chassis	1
504	0531636		Manual, (2) CD, Chassis Service, Custom	1
505	0531638		Manual, Two (2) CD, Chassis Operation, Custom	1
506	0030008		Warranty, Basic, 1 Year, Apparatus, WA0008	1
507	0696696		Warranty, Engine, Detroit DD13, 5 Year, WA0180	1
508	0684953		Warranty, Steering Gear, Sheppard M110, 3 Year WA0201	1
509	0596017		Warranty, Frame, 50 Year, Custom Chassis, WA0013	1
510	0595698		Warranty, Axle, 3 Year, TAK-4, WA0050	1
511	0733306		Warranty, Single Axle, 5 Year, Meritor, General Service, WA0384	1
512	0652758		Warranty, ABS Brake System, 3 Year, Meritor Wabco, WA0232	1
513	0019914		Warranty, Structure, 10 Year, Custom Cab, WA0012	1
514	0595813		Warranty, Paint, 10 Year, Cab, Pro-Rate, WA0055	1
515	0524627		Warranty, Electronics, 5 Year, MUX, WA0014	1
516	0695416		Warranty, Pierce Camera System, WA0188	1
517	0647720		Warranty, Pierce LED Strip Lights, WA0203	1
518	0046369		Warranty, 5-year EVS Transmission, Standard Custom, WA0187	1
519	0685945		Warranty, Transmission Cooler, WA0216	1
520	0688798		Warranty, Water Tank, Lifetime, UPF, Poly Tank, WA0195	1
521	0596025		Warranty, Structure, 10 Year, Body, WA0009	1
522	0693127		Warranty, Gortite, Roll-up Door, 6 Year, WA0190	1
523	0516693		Warranty, Pump, Pierce, PUC, 6 Year Parts, 1 Year Labor, WA0039	1
524	0648675		Warranty, 10 Year S/S Pumbing, WA0035	1
525	0641372		Warranty, Foam System, Not Available	1
526	0006999		Warranty, Structure, 20 Year, Aerial Device, WA0052	1
527	0687388		Warranty, Swivels, 5 Year, Aerial Device, WA0197	1
528	0685727		Warranty, Hydraulic System and Components, 3 Year/5 Year, WA0200	1
529	0687327		Warranty, Waterway, 10 Year, Aerial Device, WA0198	1
530	0595860		Warranty, Paint, 4 Year, Aerial Device, Pro-Rated, WA0047	1
531	0595820		Warranty, Paint, 10 Year, Body, Pro-Rate, WA0057	1
532	0595421		Warranty, Goldstar, 3 Year, Apparatus, WA0018	1
533	0683627		Certification, Vehicle Stability, CD0156	1
534	0610839		Certification, Engine Installation, Enforcer, Detroit DD13, 2016, CD0146	1
535	0686786		Certification, Power Steering, CD0098	1
536	0631980		Certification, Cab Integrity, Saber FR/Enforcer, CD0130	1
537	0631973		Certification, Cab Door Durability, Saber FR/Enforcer, CD0137	1
538	0631978		Certification, Windshield Wiper Durability, Saber FR/Enforcer, CD0132	1
539	0631974		Certification, Electric Window Durability, Saber FR/Enforcer, CD0133	1
540	0631977		Certification, Seat Belt Anchors and Mounting, Saber FR/Enforcer, CD0134	1
541	0735949		Certification, Cab HVAC System Performance, Saber FR/Enforcer, CD0165/CD0167	1
542	0545073		Amp Draw Report, NFPA Current Edition	1
543	0002758		Amp Draw, NFPA/ULC Radio Allowance	1
544	0799248		Appleton/Florida BTO	1
545	0000049		Ascendant BODY	1

Line	Option	Type	Option Description	Qty
546	0000012		PIERCE CHASSIS	1
547	0562778		DD13 ENGINE	1
548	0046396		EVS 4000 Series TRANSMISSION	1
549	0520324		PIERCE PUMP, PUC	1
550	0020009		POLY TANK	1
551	0028047		NO FOAM SYSTEM	1
552	0020006		SIDE CONTROL	1
553	0020007		AKRON VALVES	1
554	0020015		ABS SYSTEM	1
555	0658751		PUMPER BASE	1

RESOLUTION FOR SUPPLEMENTAL LEASE

A RESOLUTION TO AUTHORIZE AND DIRECT AN OFFICER OF THE CITY TO EXECUTE ONE OR MORE LEASE SUPPLEMENTS FOR A LEASE OR LEASES UNDER THE GMA DIRECT LEASING PROGRAM; TO DESIGNATE SUCH LEASES AS QUALIFIED TAX-EXEMPT OBLIGATIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City has entered into a Master Lease (the "Master Lease") dated as of October 11, 2000, with Georgia Municipal Association, Inc. for the leasing from time to time of certain equipment, machinery or other personal property pursuant to Supplemental Leases; and

WHEREAS, the City wishes to authorize the Mayor to execute a Lease Supplement for the acquisition of a Ten-8 Aerial Fire Truck.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY AS FOLLOWS:

1. The Mayor of the City is hereby authorized and directed to execute and deliver a Lease Supplement pursuant to the Master Lease to put into effect one or more leases for Ten-8 Aerial Fire Truck (the "Leased Property"); said officer of the City is authorized and directed in the name and on behalf of the City to execute and deliver (i) one or more Lease Supplements for items of the Leased Property in substantially the form attached to the Master Lease, with such changes and additions as may be approved by said officer, and (ii) such other documents as may be deemed by such officer to be necessary or desirable to effect the purposes hereof or of the Master Lease, and such execution shall constitute conclusive evidence that the executed document has been authorized and approved hereby; the aforesaid officer is further authorized to do all things necessary or appropriate to effectuate the purposes hereof.

2. An appropriation in the City's current operating budget has previously been made, which shall be sufficient to pay the "Rentals" and the "Termination Payment" during the "Starting Term" under such Lease Supplements;

3. The lease or leases contemplated by the said Lease Supplements are hereby designated "Qualified Tax-Exempt Obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, and said officer shall

be authorized to confirm such designation by execution of appropriate documents in connection therewith.

4. This authorization shall be effective immediately.

SO RESOLVED, this _____ day of _____, 2020.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Ben Burnett

John Hipes

Dan Merkel

Donald Mitchell

Richard Karen

(SEAL)

Attest:

Erin Cobb, City Clerk

CLERK'S CERTIFICATE

The undersigned, a duly elected or appointed and acting City Clerk of the Lessee identified in the foregoing Resolution No. _____ the "Resolution"), hereby certifies that the Resolution is a full, true and correct copy of such Resolution as adopted by the governing body of the City on November 30, 2020, at which a quorum was present and acting throughout. The Resolution is in full force and effect on the date hereof and has not been amended, modified or otherwise changed by the governing body of the City since the date of adoption of the Resolution.

Erin Cobb, City Clerk

(SEAL)

EXHIBIT "E"
LEASE SUPPLEMENT

THIS LEASE SUPPLEMENT (this "Lease Supplement") by and between GEORGIA MUNICIPAL ASSOCIATION, INC., a Georgia non-profit corporation ("Lessor") and the municipal corporation of the State of Georgia signing below ("Lessee"), is made and entered into the date of its execution by the Lessor.

RECITALS:

Lessor and Lessee have entered into a Master Lease (the "Master Lease") dated October 11, 2000, which provides for Lessor to lease to Lessee certain property (the "Property") to be specified in Lease Supplements to be executed and delivered by Lessor and Lessee from time to time; and

Lessor and Lessee are entering into this Lease Supplement pursuant to the Master Lease to specify the terms for the lease of certain Property.

LESSOR AND LESSEE HEREBY AGREE AS FOLLOWS:

1. Definitions. Unless a different meaning or intent is required by this Lease Supplement, the capitalized terms used in this Lease Supplement shall have the meanings set forth in the Master Lease.
2. Property. The Property described on the Property Schedule incorporated as Schedule A to this Lease Supplement is specified as the Property that initially is the subject hereof.
3. Lease Payments. The Rental Schedule, incorporated as Schedule B to this Lease Supplement describes the initial amounts and payment dates of the Rentals for the Lease, and the Purchase Price for the Property. The Termination Payment may become due and payable upon the circumstances described in Section 4.2 of the Master Lease.
4. Term of Lease. The Starting Term of the Lease of the Property shall begin on the date hereof (the "Starting Date") and end on December 31 of the same year. The Lease will be renewed for successive calendar year Renewal Terms (the "Renewal Terms"), and an Ending Term (the "Ending Term") commencing January 1 of the last calendar year appearing on the Rental Schedule, and ending on the date of the final payment shown on the Rental Schedule (the "Ending Date"), unless Lessee gives a Nonrenewal Notice or there occurs an Event of Nonappropriation, as provided in the Master Lease. The "Lease Term" is the period from the Starting Date to the Ending Date, subject to the earlier expiration or termination of the Lease as provided in the Master Lease.
5. Agreements, Representations and Warranties. Lessee represents, warrants and agrees as follows:
 - (a) Lessee's representations, warranties and agreements contained in the Master Lease are true, accurate, complete and effective as of the date hereof;
 - (b) *(this clause (b) applies only if this Lease is designated as a Bank-Qualified Lease below)* in order to enable Lessor to offer the interest rate contained in this Lease, Lessee represents and warrants that it has not issued, nor does it (taken together with the entities with which it must be aggregate pursuant to Section 265(b)(3)(E) of the Code) reasonably expect to issue (taking into account the Leases) more than \$10 million of tax-exempt obligations (other than private activity bonds) for the calendar year during which the Lease becomes effective; as provided in Code Section 265(b)(3)(B)(II), Lessee specifically designates the Lease as a "qualified tax-exempt obligation" as provided by Code Section 265(b)(3);
 - (c) Lessee will take no action that will directly or indirectly affects the deductibility of that portion of Lessor's interest expense allocable to this Lease;
 - (d) Lessee has made an available appropriation of and included in its current operating budget all Rentals for the Starting Term and the Termination Payment applicable to this Lease;
 - (e) Unless Property funds are escrowed, Lessee has received, tested, and finally accepted the Property;

- (f) The portion of the Rentals representing principal, when taken together with the principal portion outstanding under any other contract entered into by Lessee pursuant to the authority of O.C.G.A. § 36-60-13, together with the amount of debt outstanding incurred by Lessee pursuant to Article IX, Section V, Paragraph I of the Constitution of Georgia of 1983, as amended, does not exceed 10% of the assessed value of all taxable property within the jurisdictional limits of Lessee;
 - (g) The Property that is the subject hereof has not been the subject of a referendum that failed to receive the approval of the voters of Lessee within the calendar year in which this Lease is entered into for any of the four immediately preceding calendar years;
 - (h) If the Property subject to this Lease is real property: and unless the Property has been approved in the most recent referendum calling for the levy of a special county 1% sales and use tax pursuant to O.C.G.A. Tit. 48, Chapt. 8, Art. 3, Pt. 1, neither of the following has occurred:
 - (i) the average annual payments on the aggregate of all outstanding contracts entered into by Lessee for real property pursuant to the authority of O.C.G.A. § 36-60-13, including this Lease, do not exceed 7.5% of the governmental fund revenues of Lessee for the last calendar year preceding the date of delivery of this Lease (provided, however, that there may be added to such governmental fund revenues any special county 1% sales and use tax proceeds collected pursuant to O.C.G.A. § 48-8-111 legally available to pay amounts on this Lease or such other contracts); and
 - (ii) the outstanding principal balance on the aggregate of all outstanding contracts entered into by Lessee for real property pursuant to the authority of O.C.G.A. § 36-60-13, including this Lease does not exceed \$25,000,000.00
 - (i) If the property subject to this Lease is real property, Lessee held a public hearing with respect to this Lease prior to the delivery of this Lease, notice of which hearing was published at least once in each of the two weeks preceding the week of the hearing in a newspaper of general circulation in the jurisdiction of Lessee.
 - (j) No Event of Default or Event of Nonappropriation has occurred with respect to any Lease entered into under the Master Lease.
6. Non-Arbitrage Certificate. The Property that is subject to the Lease has not been and is not expected to be sold or otherwise disposed of in whole or in part prior to the Ending Date. Monies appropriated for the payment of amounts under the Lease will be paid from Lessee's general fund and will not be pledged for the Lease or be otherwise separately identified or accounted for (unless the Lease is to be paid from sales tax receipts). Lessee has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its obligations. No proceeds or "gross proceeds" of the Lease are expected to be invested prior to an allocation for governmental use, unless an Escrow Agreement has been entered into in connection with this Lease. The proceeds of the Lease will not be used in a manner and no other action will be taken or omitted that would cause the Lease to be an "arbitrage bond" under Section 148 or a "private activity bond" under Section 141 of the Internal Revenue Code of 1986, as amended and the regulations promulgated under that Section.
7. Quitclaim. At the outset of this Lease, the Lessee does hereby assign, transfer, convey and quitclaim to Georgia Municipal Association, Inc. ("Lessor") such ownership interests as it may possess, if any, in and to the "Property," as is necessary to permit the Property to be leased by Lessor to Lessee pursuant to the terms of this Lease Supplement and the Master Lease in accordance with their terms. Pursuant to Section 2.2 of the Master Lease, Lessor further transfers title to Lessee to the extent provided therein, and Lessee accepts such transfer in accordance with such Section 2.2. This quitclaim is given in consideration of the advance by or on behalf of the Lessor of the purchase price of the Property and the undertaking of the Lessor represented by this Lease Supplement.
8. Active Municipality. The Lessee certifies that it does, and expects to continue (a) providing at least three of the following services, either directly or by contract: law enforcement; fire protection (which may be furnished by a volunteer fire force) and fire safety; road and street construction or maintenance; solid waste management; water supply or distribution or both; waste-water treatment; storm-water collection and disposal; electric or gas utility services; enforcement of building, housing, plumbing, and electrical codes and other similar codes; planning and zoning; recreational facilities; (b) holding at least six regular, monthly or bimonthly, officially recorded public meetings each year; and (c) qualifying for and holds a regular municipal election as provided by law.

9. Effect of Lease Supplement. This Lease Supplement is intended as a separate Lease of the items of Property described in this Lease Supplement pursuant to the Master Lease. The terms, conditions and provisions of the Master Lease are hereby incorporated in this Lease Supplement to the same extent as if fully set forth in this Lease Supplement in this place, except to the extent expressly amended or modified by this Lease Supplement. The owner of Lessor's interest in this Lease shall have all rights, powers and remedies of Lessor with respect to this Lease under the Master Lease. This Lease Supplement may be executed in multiple counterparts, each of which shall constitute an original. This Lease Supplement shall be effective only upon the due completion and execution of the Schedules listed below and the delivery thereof to the Servicer.

10. Bank-Qualified or Non-Bank-Qualified.

☐ The Lease under this Lease Supplement is a Non-Bank-Qualified Lease;

OR: (Check 1 box)

☒ The Lease under this Lease Supplement is a Bank-Qualified Lease and Lessee has designated the Lease under the Lease Supplement as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Code. The Lessee and its subordinate entities, and the entities that issue obligations on behalf of Lessee have not issued other tax-exempt obligations (other than private activity bonds, except Qualified 501(c)(3) Bonds) in the current calendar year, and Lessee does not expect that it and such other entities will issue such tax-exempt obligations such that all of such obligations, taken together with the Lease Amount under the Lease Supplement, would exceed \$10,000,000 in such calendar year. The only tax-exempt obligations issued or expected to be issued in the current calendar year by such parties are as follows (type title, date and amount):

	TITLE	DATE	AMOUNT
(1)	_____	_____	_____
(2)	_____	_____	_____

11. Payments Direction. Lessee authorizes and directs the Servicer under this Lease Supplement to pay the vendors of the Property as indicated below:

<u>NAME AND ADDRESS OF VENDOR</u>	<u>INVOICE #</u> (attach invoices)	<u>AMOUNT</u>
City of Alpharetta 2 Park Plaza Alpharetta, GA 30009 Attn: Mr. Shawn Mitchell 678-297-6016	Enclosed	\$1,311,250.00

(Should Lessee have previously paid vendor, or require another means of payment to the Vendor, it should attach a request for an alternate payment method with a full explanation and, if applicable, proof of payment to the vendor.)

12. Assignee and Servicer. Lessor has assigned its rights and interests in the Lease to Truist Bank, which shall serve as Servicer for the Lease, and Lessee shall make payments to such Servicer.

13. Schedules. Lessee hereby delivers to Lessor and its assigns the completed, executed and effective Schedules C, D, and F, described below.

This Lease Supplement is dated: _____.

IN WITNESS WHEREOF, Lessor and Lessee have caused this Lease Supplement to be duly executed.

LESSEE:
(SEAL)

City of Alpharetta

Signed By: _____

Mayor

Print Name: Jim Gilvin

Attested By: _____

City Clerk

Print Name: Erin Cobb

Date: _____

LESSOR:
(SEAL)

GEORGIA MUNICIPAL ASSOCIATION, INC.

Signed By: _____

Executive Director

Attested By: _____

Financial Services Program Manager

Date of Execution: _____

Schedules Hereto:

- A. Property Schedule**
- B. Rental Schedule**
- C. Appropriation Certificate Form**
- D. Form 8038G or 8038GC**
- E. Form UCC-1 (If included)**
- F. Ordinance/Resolution for Lease Supplement**
- G. Assignment and Transfer of Lease Supplement
(Schedule G will be completed by GMA)**

SCHEDULE A

PROPERTY SCHEDULE

<u>DESCRIPTION OF PROPERTY</u>	<u>IDENTIFICATION OR VIN NUMBER</u>	<u>AMOUNT FINANCED</u>
Ten-8 Aerial Fire Truck		\$1,311,250.00

City of Alpharetta, Georgia
Lease Purchase Financing for Aerial Fire Truck
Thirteen (13) Years; Annual Payments in Arrears
Sample Payment Schedule

Nominal Annual Rate: 1.800%

Cash Flow Data - Loans and Payments

	Event	Date	Amount	Number	Period	End Date
1	Loan	12/18/2020	1,311,250.00	1		
2	Payment	11/01/2021	113,792.25	13	Annual	11/01/2033

TValue Amortization Schedule - Normal, 360 Day Year

	Date	Payment	Interest	Principal	Balance
Loan	12/18/2020				1,311,250.00
2021 Totals		0.00	0.00	0.00	
1	11/01/2021	113,792.25	20,848.88	92,943.37	1,218,306.63
2022 Totals		113,792.25	20,848.88	92,943.37	
2	11/01/2022	113,792.25	21,929.52	91,862.73	1,126,443.90
2023 Totals		113,792.25	21,929.52	91,862.73	
3	11/01/2023	113,792.25	20,275.99	93,516.26	1,032,927.64
2024 Totals		113,792.25	20,275.99	93,516.26	
4	11/01/2024	113,792.25	18,592.70	95,199.55	937,728.09
2025 Totals		113,792.25	18,592.70	95,199.55	
5	11/01/2025	113,792.25	16,879.11	96,913.14	840,814.95
2026 Totals		113,792.25	16,879.11	96,913.14	
6	11/01/2026	113,792.25	15,134.67	98,657.58	742,157.37
2027 Totals		113,792.25	15,134.67	98,657.58	
7	11/01/2027	113,792.25	13,358.83	100,433.42	641,723.95
2028 Totals		113,792.25	13,358.83	100,433.42	
8	11/01/2028	113,792.25	11,551.03	102,241.22	539,482.73
2029 Totals		113,792.25	11,551.03	102,241.22	
9	11/01/2029	113,792.25	9,710.69	104,081.56	435,401.17
2030 Totals		113,792.25	9,710.69	104,081.56	

10	11/01/2030	113,792.25	7,837.22	105,955.03	329,446.14
2031 Totals		113,792.25	7,837.22	105,955.03	
11	11/01/2031	113,792.25	5,930.03	107,862.22	221,583.92
2032 Totals		113,792.25	5,930.03	107,862.22	
12	11/01/2032	113,792.25	3,988.51	109,803.74	111,780.18
2033 Totals		113,792.25	3,988.51	109,803.74	
13	11/01/2033	113,792.25	2,012.07	111,780.18	0.00
2034 Totals		113,792.25	2,012.07	111,780.18	
Grand Totals		1,479,299.25	168,049.25	1,311,250.00	

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
1.800%	\$168,049.25	\$1,311,250.00	\$1,479,299.25

SCHEDULE C

APPROPRIATION CERTIFICATE

Re: Master Lease dated October, 11, 2000 and Lease Supplement (the "Lease Supplement") dated _____, between Lessee and Georgia Municipal Association, Inc.

The undersigned officers of the City of Alpharetta (the "Lessee") hereby certify that all Rentals and the Termination Payment under the referenced Lease Supplement, for the current fiscal year are within such Lessee's operating budget or budgets for such year and an appropriation of funds for such year has been made for such purpose and is available therefore.

Dated: _____

City of Alpharetta

Signed by: _____

Print Name: Jim Gilvin

Title: Mayor

Attested By: _____

Print Name: Erin Cobb

Title: City Clerk

(SEAL)

INSTRUCTIONS:

1. To be given at the time of signing a Lease Supplement and within 30 days of the adoption of each annual budget.
2. Complete a separate certificate for each Lease Supplement in effect.

(Rev. September 2018)

► Under Internal Revenue Code section 149(e)

► See separate instructions.

OMB No. 1545-0720

Department of the Treasury
Internal Revenue Service**Caution:** If the issue price is under \$100,000, use Form 8038-GC.► Go to www.irs.gov/F8038G for instructions and the latest information.**Part I Reporting Authority**If Amended Return, check here ☐

1 Issuer's name <u>City of Alpharetta</u>		2 Issuer's employer identification number (EIN) <u>58-6011454</u>
3a Name of person (other than issuer) with whom the IRS may communicate about this return (see instructions) Thomas G. Harris, Finance Director		3b Telephone number of other person shown on 3a 678-297-6096
4 Number and street (or P.O. box if mail is not delivered to street address) <u>2 Park Plaza</u>	Room/suite	5 Report number (For IRS Use Only) <u>3</u>
6 City, town, or post office, state, and ZIP code <u>Alpharetta, GA 30009</u>		7 Date of issue
8 Name of issue <u>City of Alpharetta / GMA Essential Equipment Lease-Purchase</u>		9 CUSIP number <u>None</u>
10a Name and title of officer or other employee of the issuer whom the IRS may call for more information (see instructions) <u>Shawn Mitchell, Budget and Procurement Manager</u>		10b Telephone number of officer or other employee shown on 10a <u>(678) 297-6016</u>

Part II Type of Issue (enter the issue price). See the instructions and attach schedule.

11 Education	11		
12 Health and hospital	12		
13 Transportation	13		
14 Public safety	14	<u>\$1,311,250</u>	
15 Environment (including sewage bonds)	15		
16 Housing	16		
17 Utilities	17		
18 Other. Describe ► <u>Ten-8 Aerial Fire Truck</u>	18		
19a If bonds are TANs or RANs, check only box 19a			
b If bonds are BANs, check only box 19b			
20 If bonds are in the form of a lease or installment sale, check box			

Part III Description of Bonds. Complete for the entire issue for which this form is being filed.

	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21		<u>\$1,311,250</u>	<u>NA</u>	<u>years</u>	<u>%</u>

Part IV Uses of Proceeds of Bond Issue (including underwriters' discount)

22 Proceeds used for accrued interest	22		
23 Issue price of entire issue (enter amount from line 21, column (b))	23	<u>\$1,311,250</u>	
24 Proceeds used for bond issuance costs (including underwriters' discount)	24	<u>0</u>	<u>00</u>
25 Proceeds used for credit enhancement	25		
26 Proceeds allocated to reasonably required reserve or replacement fund	26		
27 Proceeds used to refund prior tax-exempt bonds. Complete Part V	27		
28 Proceeds used to refund prior taxable bonds. Complete Part V	28		
29 Total (add lines 24 through 28)	29		
30 Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)	30	<u>\$1,311,250</u>	

Part V Description of Refunded Bonds. Complete this part only for refunding bonds.

31 Enter the remaining weighted average maturity of the tax-exempt bonds to be refunded	years
32 Enter the remaining weighted average maturity of the taxable bonds to be refunded	years
33 Enter the last date on which the refunded tax-exempt bonds will be called (MM/DD/YYYY)	
34 Enter the date(s) the refunded bonds were issued ► (MM/DD/YYYY)	

For Paperwork Reduction Act Notice, see separate instructions.

Cat. No. 63773S

Form **8038-G** (Rev. 9-2018)

Part VI Miscellaneous

35	Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35	
36a	Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC). See instructions	36a	
b	Enter the final maturity date of the GIC ► (MM/DD/YYYY) _____		
c	Enter the name of the GIC provider ► _____		
37	Pooled financings: Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units	37	
38a	If this issue is a loan made from the proceeds of another tax-exempt issue, check box ► ☐ and enter the following information:		
b	Enter the date of the master pool bond ► (MM/DD/YYYY) _____		
c	Enter the EIN of the issuer of the master pool bond ► _____		
d	Enter the name of the issuer of the master pool bond ► _____		
39	If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box	►	☒
40	If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box	►	☐
41a	If the issuer has identified a hedge, check here ► ☐ and enter the following information:		
b	Name of hedge provider ► _____		
c	Type of hedge ► _____		
d	Term of hedge ► _____		
42	If the issuer has superintegrated the hedge, check box	►	☐
43	If the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated according to the requirements under the Code and Regulations (see instructions), check box	►	☐
44	If the issuer has established written procedures to monitor the requirements of section 148, check box	►	☐
45a	If some portion of the proceeds was used to reimburse expenditures, check here ► ☐ and enter the amount of reimbursement ► _____		
b	Enter the date the official intent was adopted ► (MM/DD/YYYY) _____		

Signature and Consent

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.

Signature of issuer's authorized representative _____ Date _____	► Jim Gilvin, Mayor Type or print name and title
---	--

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Firm's name ► Truist Bank (fka Branch Banking and Trust Company)	Firm's EIN ► 56-1074313			
Firm's address ► 5130 Parkway Plaza Blvd, Charlotte, NC 28217	Phone no. 704-954-1700			

STATE OF NORTH CAROLINA
COUNTY OF WILSON

AFFIDAVIT OF LISA R. HEDGPETH

BEFORE ME, the undersigned Notary Public, personally appeared Lisa R. Hedgpeth, who, being known to me and first duly sworn, deposes upon oath and testifies as follows:

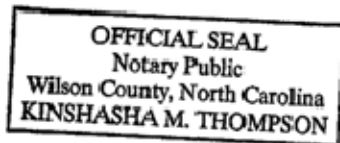
1. My name is Lisa R. Hedgpeth, and I am a resident and citizen of the State of North Carolina. I am an Assistant Vice President for Branch Banking and Trust Company ("BB&T").
2. I am providing this affidavit to comply with the law of the applicable jurisdiction which requires that any contractor doing business with the jurisdiction shall not knowingly hire for employment, employ or continue to employ an unauthorized alien.
3. To that end, I attest that BB&T has enrolled in the E-Verify program. BB&T's Identification Number is 53929.

Lisa R. Hedgpeth

Lisa R. Hedgpeth, AVP
Branch Banking and Trust Company

SWORN TO AND SUBSCRIBED BEFORE ME, this the 6 day of April 2012.

(Seal)



Kinshasha M. Thompson

NOTARY PUBLIC

Printed Name: *Kinshasha M. Thompson*
My Commission Expires: *10/2/2012*

BOVIS KYLE
BOVIS, KYLE, BURCH & MEDLIN

ATTORNEYS AT LAW

C. SAM THOMAS
ALPHARETTA CITY ATTORNEY
cst@boviskyle.com

200 ASHFORD CENTER NORTH
SUITE 500
ATLANTA, GEORGIA 30338-2680

DIR LINE 678.338.3904
TEL 770.391.9100
FAX 770.668.0878

November 30, 2020

Truist Bank
214 N. Tryon Street
Charlotte, North Carolina

Georgia Municipal Association
201 Pryor Street
Atlanta, Georgia

Re: Lease Supplement, dated November 30, 2020, to
Master Equipment Lease/Purchase Agreement, dated as
of October 11, 2000, between Georgia Municipal
Association, Inc., as Lessor, and the City of
Alpharetta, Georgia, as Lessee

Ladies and Gentlemen:

As legal counsel to the City of Alpharetta, Georgia ("Lessee"), I have examined (a) an executed counterpart of that certain Master Equipment Lease/Purchase Agreement, dated as of October 11, 2000 (the "Agreement") and Exhibits thereto, between Georgia Municipal Association, as lessor ("Lessor"), and Lessee; (b) a partially executed counterpart of the Lease Supplement, dated November 30, 2020, between Lessor and Lessee, including all schedules; (c) a certified copy of the Resolution of the governing body of Lessee which, among other things, authorizes Lessee to execute the Lease Supplement and attached Schedules; and (d) such other opinions, documents and matters of law as I have deemed necessary in connection with the following opinions.

Based on the foregoing, I am of the following opinions:

1. Lessee is a body politic and corporate duly organized and existing under the laws of the State, and has the following sovereign powers: (a) the power to tax, (b) the power of eminent domain, and (c) police power is a political subdivision of a state within the meaning of Section 103(c) of the Internal Revenue Code

Truist Bank
Georgia Municipal Association
November 30, 2020
Page 2 of 3

of 1986, as amended (the "Code") and the obligations of Lessee under the Lease Supplement will constitute an obligation of Lessee within the meaning of Section 103(a) of the Code, notwithstanding Section 103(b) of the Code.

2. Lessee has the requisite power and authority to lease, purchase and acquire a Ten-8 Aerial Fire Truck (the "Equipment") and to execute and deliver the Lease Supplement and to perform its obligations under the Lease Supplement.

3. The Lease Supplement has been duly authorized and approved. Assuming due authorization, execution and delivery thereof by Lessor, the Lease Supplement will constitute, the legal, valid and binding obligation of Lessee, enforceable against Lessee in accordance with their respective terms, except to the extent limited by State and federal law affecting creditor's remedies and by bankruptcy, reorganization, moratorium or other laws of general application relating to or affecting the enforcement of creditors' rights.

4. The authorization, approval, execution and delivery of the Lease Supplement and all other proceedings of Lessee relating to the transactions contemplated thereby have been performed in accordance with all open meeting laws, public bidding laws and all other applicable state or federal laws.

5. There is no proceeding pending or threatened in any court or before any governmental authority or arbitration board or tribunal that, if adversely determined, would adversely affect the transactions contemplated by the Lease Supplement or the security interest of Lessor or its assigns, as the case may be, in the Equipment under the Lease Supplement or other collateral thereunder.

6. The portion of rentals designated as and constituting interest paid by Lessee and received by Lessor is excluded from Lessor's gross income for federal income tax purposes under Section 103 of the Code and is exempt from State of Georgia personal income taxes; and such interest is not a specific item of tax preference or other collateral for purposes of the federal individual or corporate alternative minimum taxes.

Truist Bank
Georgia Municipal Association
November 30, 2020
Page 3 of 3

All capitalized terms herein shall have the same meanings as in the Lease Supplement unless otherwise provided herein. Lessor and its successors and assigns with respect to any Lease Supplement, and any counsel rendering an opinion on the tax-exempt status of the interest components of the Rental Payments under the Lease Supplement, are entitled to rely on this opinion.

This opinion may be relied upon by the addressees hereof and their successors and assigns, but only with regard to the matters specifically set forth herein.

Dated: November 30, 2020 By:


C. Sam Thomas
Bovis, Kyle, Burch & Medlin, LLC
200 Ashford Center North
Suite 500
Atlanta, Georgia 30338-2680
(770) 391-9100

cc: Jim Gilvin, Mayor
Thomas Harris, Dir. of Finance
Shawn Mitchell

3950839



Fire Apparatus

Product Specifics

Pierce Manufacturing Inc. is North America's leading single source manufacturer that designs, engineers, and builds the complete fire apparatus from bumper to bumper. The full spectrum of vehicles is available including:

- Aerial
- Tanker
- Pumper
- Custom Options
- Rescue

Pricing Details

Members receive discounted pricing on these products. For pricing and product details, log in to nppgov.com.

Contract Details

- Log into nppgov.com
- Forms, legal documentation, price lists and other information can be found on the Pierce vendor page
- Sign the Intergovernmental Agreement (IGA) and keep for your records
- Provide your NPPGov member number on the purchase order



Lead Public Agency: League of Oregon Cities
RFP #1905

CONTRACT TERM

CONTRACT NUMBER: PS20240

Effective Date: 05/27/2020

Initial expiration: 05/27/2023

NPPGov

NPPGov is a national cooperative procurement organization based in Seattle, WA offering publicly solicited contracts to government entities nationwide. Our contracts are created through a public solicitation by a Lead Public Agency. Access to our cooperative contracts is free and there are no purchasing obligations.

Benefits of cooperative contracts:

- Competitively bid, no additional RFP necessary
- Saves time and money in your procurement process
- Live contract support



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Recreation, Parks & Cultural Services

Submitted By: Morgan Rodgers

Sponsored By:

Meeting Date: November 30, 2020

I. AGENDA ITEM TITLE: RENEWAL OF MOU WITH CITY OF JOHNS CREEK FOR BASEBALL, SOFTBALL & LACROSSE

II. RECOMMENDATION:

Staff recommends approval of the Alpharetta and Johns Creek Memorandum of Understanding pertaining to recreational youth baseball, recreational youth softball and recreational youth lacrosse for a period of two years.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

IV. REPORT IN BRIEF:

Staff is requesting the renewal of the Memorandum of Understanding (MOU) with the City of Johns Creek that waives the non-resident fees in both cities for youth baseball, youth softball and youth lacrosse. This MOU allows for residents of both cities to register for the program that is closest to their home or the most convenient location to play the three listed sports.

The original MOU was signed in 2016 and has been renewed each year since. Since the adoption of the original MOU neither City has had to turn away its respective residents to participate in the associated programs. Between the two cities, Johns Creek has become the main provider of youth lacrosse and Alpharetta has become the main provider for youth softball.

With the current MOU expiring at the end of 2020, staff from Johns Creek and Alpharetta have met to review the current agreement, reviewed youth sports participation numbers, and discuss any changes. Staff also discussed this agreement with the Alpharetta Youth Baseball Association and the Alpharetta Youth Softball Association and both are in favor of continuing the existing program.

Staff from both cities are requesting the continuation of the current MOU by extending the term for an additional two years with no other changes.

The MOU was reviewed by the Alpharetta Recreation Commission during their November workshop and they unanimously approved the renewal of the MOU for a two year period at their November 10 regularly scheduled meeting.

V. ALTERNATIVES:

VI. ATTACHMENTS:

Johns Creek MOU Numbers, Johns Creek MOU 11-11-20

ALPHARETTA RESIDENTS IN JOHNS CREEK PROGRAMS			
NEWTOWN PARK		2019	2020
		SPRING	SPRING
	BASEBALL	20	n/a
	LACROSSE	5	n/a
	SOFTBALL	n/a	n/a

JOHNS CREEK RESIDENTS IN ALPHARETTA PROGRAMS			
NORTH PARK		2019	2020
		SPRING	SPRING
	LACROSSE	N/A	N/A
	SOFTBALL	63	N/A

ALPHARETTA RESIDENTS IN JOHNS CREEK PROGRAMS			
NEWTOWN PARK		2019	2020
		FALL	FALL
	BASEBALL	19	
	LACROSSE	52	
	SOFTBALL	n/a	

JOHNS CREEK RESIDENTS IN ALPHARETTA PROGRAMS			
NORTH PARK		2019	2020
		FALL	FALL
	LACROSSE	N/A	N/A
	SOFTBALL	39	TBD

ALPHARETTA RESIDENTS IN JOHNS CREEK PROGRAMS			
OCEE PARK		2019	2020
		SPRING	SPRING
	BASEBALL	105	n/a

JOHNS CREEK RESIDENTS IN ALPHARETTA PROGRAMS			
WILLS PARK		2019	2020
		SPRING	SPRING
	BASEBALL	58	N/A

ALPHARETTA RESIDENTS IN JOHNS CREEK PROGRAMS			
OCEE PARK		2019	2020
		FALL	FALL
	BASEBALL	35	

JOHNS CREEK RESIDENTS IN ALPHARETTA PROGRAMS			
WILLS PARK		2019	2020
		FALL	FALL
	BASEBALL	50	TBD

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF ALPHARETTA AND THE CITY OF JOHNS CREEK**

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into by and between the City of Alpharetta (“Alpharetta”), a municipal corporation of the State of Georgia, and the City of Johns Creek (“Johns Creek”).

WHEREAS, the Cities of Alpharetta and Johns Creek are adjoining communities in North Fulton County; and

WHEREAS, each City maintains and provides staff for its respective department within each City for the purpose of providing recreation and parks services; and

WHEREAS, the Cities have determined that it is to their best interest and mutual advantage to share certain programs and facilities;

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, and for good and valuable consideration, the parties agree as follows:

1. GENERAL PURPOSE OF MOU.

The purpose of this MOU is to take another step to continue to foster a long-term mutually beneficial relationship between Alpharetta and Johns Creek as it relates to parks and recreation programs and services as a way to better serve the Cities’ respective citizens, offer a wider variety of recreational services, and grow the relationship between the Cities such that similar opportunities can be developed over time.

2. GENERAL RESPONSIBILITIES OF PARTIES.

(a) Alpharetta shall waive non-resident fees for Johns Creek residents who participate in Alpharetta’s recreational youth softball, baseball, and lacrosse programs, provided space is available.

(b) Johns Creek shall waive non-resident fees for Alpharetta residents who participate in Johns Creek’s recreational youth softball, baseball, and lacrosse programs, provided space is available.

(c) Travel/select softball, baseball and lacrosse programs are not included in this MOU.

(d) Residents of each City shall have first priority to register for their City’s recreation programs (at least two (2) weeks before open registration). Residents of the other City shall have second priority to register for the recreational youth softball, baseball, and lacrosse programs (at least one (1) week before open registration). The open registration period for non-Alpharetta and non-Johns Creek residents shall begin after the priority registration ends.

(e) Full time employees of each partner City and their immediate family members living in the same household will be considered residents of the City in which they are employed. As

residents of the partner City, eligible employees/family members may register for recreational youth softball, baseball, and lacrosse programs during the partner City's resident registration period and will pay resident registration fees. Each partner City will waive non-resident fees for the full time employees and their immediate family members of the other City. To receive the non-resident fee waiver, an employee must provide proof of employment with the partner City when registering for the program. These guidelines are not applicable for part-time and seasonal employees, contracted vendors, and volunteers.

(f) The MOU shall become effective with registration for the Spring 2021 recreational youth softball, baseball, and lacrosse seasons and shall continue through registration for the Fall 2021 recreational youth softball, baseball, and lacrosse seasons.

Thereafter, this MOU shall be renewed automatically with registration for the Spring 2022 recreational youth softball, baseball, and lacrosse seasons and shall continue through the registration for the Fall 2022 recreational youth softball, baseball and lacrosse seasons unless either City delivers written notice of non-renewal to the other City at least ninety (90) days prior to the expiration of the term. If written notice of nonrenewal is given, this MOU will terminate upon the expiration of the existing term. Nothing stated herein shall obligate either City to extend this MOU beyond the term or any renewal term.

(g) At the conclusion of each Spring season, Alpharetta and Johns Creek officials (to include the Mayors and City Manager/Administrator, or their designees), shall evaluate the effectiveness of the MOU in meeting established goals. Officials shall evaluate participation in recreational youth softball, baseball, and lacrosse, and the other terms of the MOU to ensure they are fair and just for both parties. The parties shall exercise their best efforts to resolve any issues.

(h) Termination. Both parties shall have the ability to terminate the MOU without cause with six (6) months prior written notice to the other party. The termination shall be effective at the end of the six (6) month period.

3. ADMINISTRATION.

(a) The parties place high value on regular, timely and full communications between themselves, and commit themselves to ensuring strong communication links through their actions.

(b) Each party will designate a single point of contact to coordinate all activities between the parties involved.

(c) Communication between the two parties at the highest level (Mayors, any Administrator/City Manager) will take place if judged necessary by the respective Recreation & Parks Director or Recreation Manager of each City.

(d) More specific delineations of roles, responsibilities, resources and commitments concerning particular matters may be addressed in written guidelines approved by the Alpharetta

Recreation & Parks Director and the Johns Creek Recreation Manager, if such guidelines are consistent with the general purposes of this MOU.

(e) Unless otherwise provided for herein, this MOU does not impose specific program, resources, or budgetary obligations on either party.

4. OTHER PROVISIONS.

(a) Indemnity. Each City shall indemnify, defend, and hold the other City, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits, including attorney's fees, arising out of the acts, errors, or omissions of the indemnifying City, its officers, officials, employees, agents, and volunteers in the performance of its obligations under this MOU, except to the extent the injuries were caused by the indemnified City, to the extent, if any, allowed by law.

(b) Insurance. Each City shall be responsible for obtaining and maintaining its own liability and property insurance against losses or liability related to this MOU.

(c) No Third Party Beneficiaries. There are no third party beneficiaries to this MOU. No person or entity other than a party to this MOU shall have any rights hereunder or any authority to enforce its provisions. Nothing in this MOU shall be deemed to waive either party's sovereign or other immunity.

(d) Duration – Termination. The term of the MOU shall be for a period of one year. This MOU shall take effect and be in full force on December 1, 2020. The MOU will automatically renew for a period of one year unless either City delivers written notice of non-renewal to the other City at least ninety (90) days prior to the expiration of the term. The MOU can be terminated pursuant to Section 2 (h) of this MOU.

(e) Relationship Between the Parties. In consideration of the mutual services provided herein, both parties agree that nothing contained herein is intended to be or should be construed in any manner as creating or establishing the relationship of partners or joint ventures between the parties hereto or as constituting an agency relationship in any manner whatsoever. The individual parties are and shall remain independent entities with respect to all services performed under this MOU. Each party represents that it has, or will secure all its expense, all personnel required in performing its service obligation under this MOU and that the acts of its employees performing the service under this MOU shall be the acts of employees of that entity alone. Each entity agrees that in the performance of this mutual service, its employees shall not require nor be entitled to any compensation, rights or benefits of any kind whatsoever from the other entity to this MOU, including, but not limited to, medical and hospital care, sick and vacation leave, disability, Worker's Compensation or Unemployment Compensation.

(f) Severability. In the event any part or provision of this MOU is held to be invalid, the remainder of this MOU shall not be affected thereby and shall continue in full force and effect.

(g) Applicable Law. This MOU shall be governed in all respects as to the validity, construction, capacity, performance, or otherwise by the laws of the State of Georgia.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year written below.

CITY OF ALPHARETTA, GEORGIA

Date: _____

By: _____ Jim Gilvin, Mayor

APPROVED AS TO FORM:

_____ C. Sam Thomas, P.C. City Attorney for the City of
Alpharetta, Georgia

CITY OF JOHNS CREEK, GEORGIA

Date: _____

By: _____ Michael E. Bodker, Mayor

APPROVED AS TO FORM:

_____ Richard A. Carothers City Attorney for the
City of Johns Creek, Georgia



City Council Meeting & Public Hearing

STAFF REPORT

Submitting Department: Finance

Submitted By: James Drinkard, Thomas Harris, Cris Randall

Sponsored By:

Meeting Date: November 30, 2020

I. AGENDA ITEM TITLE: VULNERABLE POPULATION GRANT PROGRAM: AWARD RECOMMENDATION

II. RECOMMENDATION:

Approve the award of Alpharetta Vulnerable Population Grant Funds in an amount not to exceed \$20,082 to the Alpharetta / Ed Isakson YMCA as presented and authorize the Mayor to execute all necessary documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN
CURRENT FY OPRT.
BUDGET: YES

TOTAL PROJECT COST: THE TOTAL VALUE OF THE RECOMMENDED AWARDS IS \$20,082. IF THIS RECOMMENDATION IS APPROVED BY CITY COUNCIL, THE TOTAL VALUE OF AWARDS GRANTED TO-DATE WOULD BE \$245,082. THIS WOULD LEAVE A BALANCE OF \$34,918 FOR FUTURE AWARD.

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

IV. REPORT IN BRIEF:

The City of Alpharetta created its Vulnerable Population Grant Program (VPGP) for the purpose of assisting Alpharetta families and residents who have suffered significant financial hardship due to the COVID-19 pandemic.

Because the City lacks established support programs, processes, and experience to provide such support in a direct manner, the VPGP was designed to provide funding to established not-for-profit agencies offering established programs that serve Alpharetta residents and which programs have experienced increased capacity demands due to the pandemic. Specific services on which the VPGP was created to support include overdue rent and mortgage assistance; utility assistance; food and nutrition; childcare; distance learning support; or other unforeseen financial/ emergency needs of the community. It may also focus on providing group community services such as food kitchens or pantries for the same population as mentioned above and/or may also focus on organizations that provide mental health services for vulnerable individuals.

Eligible applications under this program are reviewed by a staff committee tasked with reviewing all applications for consistency with the program purpose and intent, ability and efficiency of the applicant to deliver specified services / programs, and delivery of programs and services to residents of Alpharetta. The committee is further tasked with bringing forward for consideration by the Mayor and City Council recommendations on award and allocation of funding within the limits of the funding designated for the Alpharetta Vulnerable Population Grant Program.

Since the November 16 City Council Meeting when staff presented initial award recommendations, two additional applications have been received. While one of these applications remains under review pending the receipt of additional documentation, staff has completed review of the other and comes forward at this time to recommend the award of \$20,082 to the Alpharetta / Ed Isakson YMCA. The YMCA is providing programming to Alpharetta residents in the categories of childcare and learning support.

If this recommendation is approved by City Council, the total value of awards granted to-date would be \$245,082. This would leave a balance of \$34,918 for future award.

For any awards approved by Mayor and Council, a grant agreement would be executed between the City and the respective agency. The agreement defines the scope of the award, use of funds, and reporting requirements.

V. ALTERNATIVES:

VI. ATTACHMENTS:

Vulnerable Population Program Grant Application Packet -YMCA Signed



CITY OF ALPHARETTA

VULNERABLE POPULATION PROGRAM GRANT APPLICATION PACKET

Updated 10/19/2020

CITY OF ALPHARETTA
2 PARK PLAZA
ALPHARETTA, GA 30009
WWW.ALPHARETTA.GA.US

INTRODUCTION

This application is for consideration of potential funding from the City of Alpharetta (hereinafter "The City") under its COVID-19 Vulnerable Population Program. The program has been established for the purpose of providing support to Alpharetta businesses and families suffering significant hardship due to the economic impacts of the COVID-19 pandemic by extending financial support to not-for-profit organizations administering programs deemed by the City to be effectively meeting the goals of the City's COVID-19 Vulnerable Population Program.

This application may be modified before its inclusion on the City's agenda for approval. Any changes will be communicated to the applying agency for concurrence before placement on the agenda.

The application will become Attachment A: Scope of Work or Provision of Services in the final grant contract, if approved.

The City reserves the right to modify its procedures in awarding grants based upon the applications received.

BACKGROUND

The City of Alpharetta has appropriated funding indirectly through the original CARES Act to a program to assist not-for-profits in providing services to vulnerable populations that have been affected by the COVID pandemic. A high-level summary of the process follows:

- The funding can be used to reimburse eligible expenses incurred by an established and eligible not-for-profit after March 27, 2020. Eligible expenses include providing direct assistance to individuals in the community who have lost employment since March 27, 2020; providing direct assistance to individuals that have been financially hindered by reduced working hours since March 27, 2020; or providing assistance to those who are part of a vulnerable population that has suffered additional burdens because of the COVID pandemic.
- Priority for awards will be given to agencies with a physical location in Alpharetta and that have a record of serving the greater Alpharetta / North Fulton communities. This program is not designed for new programs or start-up efforts.
- The focus of the program will be overdue rent and mortgage assistance; utility assistance; food and nutrition; childcare; distance learning support; or other unforeseen financial/ emergency needs of the community. It may also focus on providing group community services such as food kitchens or pantries for the same population as mentioned above and/or may also focus on organizations that provide mental health services for vulnerable individuals.
- Applications will remain open until funding is exhausted or the Mayor and City Council vote to end the program. The City reserves the right to modify these requirements and procedures based upon the volume or quality of applications. There will be an internal review process which may create a recommendation of approval, denial, or modification before being brought to Mayor and Council for approval.
- All awards will only be official upon approval by Mayor and Council. No advances for expenses will be awarded by this program.

BACKGROUND (CONTINUED)

- Grant requests must have a minimum amount of \$10,000 to be eligible for review and will have a maximum award amount of \$50,000. No reimbursement will be given until the \$10,000 worth of eligible expenses is attained. If a not-for-profit is awarded a grant and fails to show \$10,000 worth of eligible expenses within ninety days of award, the grant will be rescinded.
- Funding should not be requested through this program that will be reimbursed through other measures. If the agency makes multiple applications and wishes to withdraw the one to the City, the agency may contact staff to withdraw the application.
- The goal of all awarded funds are to have the grant expended by December 31, 2020; however, the City will allow individual grantees to work with proposal dates that extend into 2021, but no longer than one year after the approval by Mayor and Council.
- Any questions or communications related to this program or the application should be sent in writing to CaresGrant@alpharetta.ga.us

CHECKLIST OF REQUIRED DOCUMENTS

The following items must be included with your submitted application. Applications that exclude any of the following will be disqualified from consideration.

- | | |
|---|--|
| ☐ Completed and signed application | ☐ 501(c)3 not-for-profit IRS certification |
| ☐ Organization bylaws | ☐ Articles of incorporation recorded by Sec. of State |
| ☐ Organization chart | ☐ Last independent audit of organization by CPA |
| ☐ Dated copies of minutes from last 4 Board Meetings | ☐ Current approved organization budget |
| ☐ Proof of registration with federal SAVE Program | ☐ Proof of E-Verify registration |
| ☐ All applicable federal, state, and local licenses | |

Please turn to the next page to begin completing the application.



CITY OF ALPHARETTA

VULNERABLE POPULATION PROGRAM

GRANT APPLICATION

This completed form must be included as the cover to all materials submitted as your application packet for the City of Alpharetta Vulnerable Population Program Grant. In addition to the completed form, your application packet must include **ALL** of the materials listed in the checklist found at the end of this form.

Your complete application, including this form and all required materials, must be submitted via email to CaresGrant@alpharetta.ga.us. Applications will be reviewed and considered on a rolling basis, and the application period will remain open until funding has been exhausted or the Mayor and City Council vote to end the program.

When submitting your application packet, please include this completed form as a single attachment. It is preferred that all supporting materials, including the items defined in the aforementioned checklist, be submitted as a single, additional attachment in .PDF format. If, however, your organization does not have the ability to combine the supporting materials in this manner, they should be attached as individual files and named using the name of your agency and an identifier similar to how the corresponding document is listed in the checklist (e.g. "City of Alpharetta - Organization Chart").

Organization Name: YMCA of Metro Atlanta - Ed Isakson/Alpharetta Family YMCA

PRIMARY PHYSICAL LOCATION

Street Address: 3655 Preston Ridge Road

Suite #: _____ City: Alpharetta

State: GA Zip Code: 30005

Telephone: 770-664-1220

Website: <https://www.ymcaatlanta.org/ymca-locations/alpharetta/>

MAILING ADDRESS

Mailing Address: 3655 Preston Ridge Road

Suite #: _____ City: Alpharetta

State: GA Zip Code: 30005

CONTACT INFORMATION

Authorized Representative: Ryder Leary

Title: Associate Executive Director

Telephone: 904-583-3549

Email: RyderL@ymcaatlanta.org

SWEAR AND ATTEST

I, the undersigned, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this application and in any and all documents provided in support of this application are true and accurate. I further understand that any false statements provided by me or my representatives as part of this application, beyond any legal penalties, will result in the denial of the subject application.

Ryder Leary

Applicant's Printed Name

11/18/2020

Date Of Application

Ryder Leary

Applicant's Signature

PROGRAM INFORMATION

In the space provided, please provide a description of the subject program, its history, clientele, and how demand for the program has changed because of the COVID-19 pandemic. Please provide as much detail as the space allows.

The Work of the Y

Since 1858, the YMCA of Metro Atlanta has been an essential part of the greater Atlanta community, offering unique and effective programs that impact children, teens, adults, and seniors. The Y believes that all people, especially children, deserve an equal chance to reach their full potential and that everyone, regardless of income or background, should have the opportunity to learn, grow, and connect. In ordinary times and during times of crisis, the Y and our programs champion communities where all people thrive.

Through the Ed Isakson/Alpharetta Family YMCA, we serve residents of the City of Alpharetta through programs that focus on education, youth development and health and wellness.

Meeting Families' Needs

When the COVID-19 pandemic first reached our city in March and our community faced mounting challenges, the YMCA of Metro Atlanta responded immediately to serve those in greatest need—just as we have done for more than 160 years. To slow the spread of the highly contagious coronavirus, schools closed and many children had nowhere safe to learn and grow. The Y offered emergency childcare for more than 1,000 children of essential and front-line workers across metro Atlanta each day through the end of May. This critical work expanded into the summer as we provided safe and fun programming through YMCA Day Camp, serving more than 2,500 children across the association from June through August. This summer, the Isakson/Alpharetta Family Y served more than 3500 program days to school aged children, 908 of which were Alpharetta residents. Of those program participants, 25% received financial assistance and 18% of Alpharetta residents received scholarships to ensure they had access to quality programming. \$1681.00 in scholarships were awarded to City of Alpharetta families.

When school systems started virtually, the Y again responded to a community need and developed a program—YMCA Campus Connection—that allows children to participate in their schools' virtual learning curriculum on-site at Y facilities while their parents continue to work. Y Academic Coaches provide academic support and ensure children stay on track with their assignments during the school day and engage children in fun activities during the afternoon hours. As the Y does with all of our programs, we provide financial assistance so that children from low-income families have access to technology and academic coaches—critical to reaching those most at risk of falling behind academically. Through Y Campus Connection, the Isakson/Alpharetta Family Y reached 157 elementary school aged children, 31 of which were Alpharetta residents. Of those program participants, 65% received financial assistance and 46% of Alpharetta residents received scholarships to ensure they had access to quality programming. \$8836.00 in scholarships were awarded to City of Alpharetta families.

Through these three programs—emergency childcare, summer day camp, and YMCA Campus Connection—the Isakson/Alpharetta Y served over 5,500 program days. Importantly, these children's parents were able to provide for their families while knowing their children were safe, having fun, and cared for.

Now, Fulton County schools are returning to in-person instruction in mid-October, and the Y will again play a critical role for working families in our community by delivering our afterschool program at 24 schools serving City of Alpharetta residents. Each day children receive a nutritious snack and homework assistance as needed, and then participate in special projects and activities designed to motivate youth to reach a higher level of academic achievement, explore new skills, engage in fun fitness activities, and grow as leaders. During the 2019-2020 school year, so far the Isakson/Alpharetta Family Y reached 398 elementary school aged children, 84 of which were Alpharetta residents. Of those program participants, 34% received financial assistance and 26% of Alpharetta residents received scholarships to ensure they had access to quality programming. To date, \$9565.00 in scholarships were awarded to City of Alpharetta families.

PROGRAM INFORMATION (Continued)

In the space provided, please provide a description of estimated expenditures for this program and presentation of the total program budget. It must clearly define the amount of funding you are asking for from the City, though you may show other non-City expenditures to show other revenue source commitments. It should also include any and all COVID or pandemic related grant funding which the agency has been awarded or has applied for.

Partnering to Strengthen Our Community

The Y respectfully requests \$20,082.00 to support families who live within city limits as well as teachers, first responders, and city employees who work in Alpharetta, allowing them to participate in this critical programs. Funding will be essential to ensure more families have access to out-of-school time programming that allows parents to continue to work and know their children are safe and cared for.

As more and more families face financial insecurities due to job loss or wage reduction, we expect an increased need for financial support to participate in our out-of-school time programs. The Y has always been committed to providing programs for those who need us most and ensuring that program costs are never a barrier to participation. Even while the Y is faced with declining revenues from the temporary closing of branches and programs, our financial assistance program will be more important than ever to ensure those hit hardest by financial changes continue to have the opportunity to participate in Y programs.

Additionally, given the uncertainty around how Covid-19 will continue to affect our community, the Y recognizes the importance of being flexible. If there is a surge in coronavirus infections this fall, the Y will be ready to deliver Y Campus Connections if schools need to shift back to virtual learning.

We are incredibly grateful for the city of Alpharetta's continued partnership, ensuring our community members have access to high-quality education, youth development, and wellness programming. Your support of our Covid-19 relief efforts will immediately reach more children and families with access to financial assistance to ensure youth have the opportunity to participate in out-of-school time programs. Thank you for your consideration of this request.

Does/will your organization subcontract the program administration or any other aspect of the program to a third party or work in partnership with another not-for-profit agency to provide services under this program?

☐ Yes

☒ No

If you answered "yes" to the question above, please list the third party organization(s) and the specific role(s) each will play and/or services they will provide.