

City of Norcross

65 Lawrenceville Street

Norcross, GA 30071



Meeting Agenda

Monday, November 3, 2025

6:30 PM

Council Chambers

Regular Council Meeting

Mayor Craig Newton

Mayor Pro Tem Marshall Cheek

Councilmember Andrew Hixson

Councilmember Josh Bare

Councilmember Matt Myers

Councilmember Bruce Gaynor

Livestream Here:

<https://norcrossga.portal.civicclerk.com/event/165/media>

A. Call to Order by Mayor Craig Newton

PLEASE SILENCE ALL CELL PHONES AND ELECTRONIC DEVICES

B. Invocation by Councilmember Hixson**C. Pledge of Allegiance to the Flag of the United States of America****D. Roll Call (recorded)****E. Presentation of Previous Meeting Minutes for Acceptance**

Mayor and Council — Regular Council Meeting — October 6, 2025, 6:30 PM

Mayor and Council — Special Called Meeting — October 20, 2025, 5:30 PM

Mayor and Council — Policy Work Session — October 20, 2025, 6:30 PM

F. Set Agenda As Presented for Scheduled Meeting

Acceptance of the Agenda and Approval of the Consent Agenda.

G. Ceremonial Presentations, Recognitions, and Swearing in Ceremonies**H. Floor Open to Citizens Desiring to Address the Governing Authority****A. Comments by Citizens****B. Comments by Council****C. Comments by City Manager****I. Public Hearings****1. 25-7434: REZ2025-003 Creation of a new 21-lot single family detached Planned Residential Development (PRD) with 21 cottage style homes**

Consider a recommendation of approval from the Planning and Zoning Board by a vote of 4-0 on the zoning component of REZ2025-003, the adoption of zoning standards under the existing Planned Residence District (PRD) for the property located at 636 West Peachtree Street, 646 West Peachtree Street, 656 West Peachtree Street, 658 West Peachtree Street, and parcel 6253 288.

This approval will also require the granting of a concurrent variance to allow the development to exceed the threshold for Medium Density Residential for the Hopewell Woods Character Area, which is defined in the Norcross Comprehensive Plan as being “up to and including 12 units per acre.”

Staff recommends approval of the application and the attached ordinance with the 14 listed conditions.

Attachments:

1. Agenda Report - REZ2025-003 Creation of a new 21-lot single family detached Planned Residential Development (PRD) with 21 cottage style homes
2. Draft Ordinance
3. P&Z Staff Report Package
4. Rezoning Application

J. Reports of the Mayor and Councilmembers

a. General Announcements

NOVEMBER CALENDAR OF EVENTS

First Friday Concert: Pangaea

Friday, November 7 | 7:00 - 9:00 p.m. | Cultural Arts & Community Center

Movie Monday: Saving Private Ryan

Monday, November 10 | 1:30 & 6:30 p.m. | Cultural Arts & Community Center

Veterans Day Observance

Tuesday, November 11 | Sanitation & Recycling Will Not Be Affected

Veterans Day Ceremony

Tuesday, November 11 | 10:00 a.m. | Veterans Park

Coffee With Council

Saturday, November 15 | 8:00 a.m. | 45 South Café

Historic Norcross Holiday Open House

Saturday, November 15 | 11:00 a.m. - 7:00 p.m. | Downtown Norcross

HoliDAYS In Norcross Lineup

Saturday, November 15 - December 19 | Lineup At norcrossga.net/holidaylineup

Policy Work Session

Monday, November 17 | 6:30 p.m. | City Hall, 2nd Floor Conference Room

Holiday Quilt Exhibit

Monday, November 24 - December 30 | 8:00 a.m.- 5:00 p.m. | Welcome Center

Movie Monday: Rudy

Monday, November 24 | 1:30 & 6:30 p.m. | Cultural Arts & Community Center

Thanksgiving Observance

Thursday, November 27 - November 28 | Sanitation & Recycling Will Be Delayed

K. Board Appointments

The Mayor and Council will consider appointments and reappointments to the following Boards, Commissions, or Authorities:

1. 2025-305:

Discovery Garden Park Board

One applicant satisfied the requirements to be considered for appointment to the Discovery Garden Park Board, which has one (1) vacancy.

L. Consent Agenda

1. 2025-276:

Request for Noise Ordinance Waiver for Norcross Porchfest

Approve a temporary waiver of the Norcross City Noise Ordinance to permit amplified music at designated porches from 11AM to 7PM within the approved footprint on Saturday, May 2, 2026.

Attachments:

1. Agenda Report - Request for Noise Ordinance Waiver for Norcross Porchfest
2. Porchfest Overview
3. Georgia Porchfests – Economic and Attendance Overview
4. Norcross Porchfest Proposed Boundaries
5. Waiver of Noise Ordinance for Porchfest 2025

2. 2025-279:

Authorization for FYE2025 Budget Amendments

Authorization for Finance Director to complete all necessary budget amendments set forth in agenda item to maintain FY25 adopted appropriation

Attachments:

1. Agenda Report - Authorization for FYE2025 Budget Amendments
2. Budget Amendment Item 2025-279

- 3. 2025-278: Accept and Appropriate Donation – NPAC White Squirrel Project**
To accept and appropriate a \$1,500.00 donation received from Norcross Gallery & Studios for the NPAC White Squirrel Project.
Attachments:
 1. Agenda Report - Accept and Appropriate Donation – NPAC White Squirrel Project
 2. Budget Amendment Item 2025-278
- 4. 2025-280: Employee Handbook Revision 2025**
Approve the revisions of the 2025 Employee Handbook to reflect changes to existing policies and ensure compliance with current employment laws and regulations.
Attachments:
 1. Agenda Report - Employee Handbook Revision 2025
 2. Employee Handbook Revision
- 5. 2025-288: Retiree Medicare Health Plan Renewal Changes**
Approve changing the retiree Medicare Supplement insurance plan through Hartford to a Humana Medicare Advantage Plan.
Attachments:
 1. Agenda Report - Retiree Medicare Health Plan Renewal Changes
 2. Retiree Renewal Presentation
 3. Hartford AGP-3761 GRIP Benefit Chart
 4. 2026 Humana LPPO for Standard Plan
- 6. 2025-282: Certified Local Government Program**
Authorize Mayor to sign a Request for Certification Letter as part of the City of Norcross' application to become a Certified Local Government with the Georgia Department of Community Affairs.
Attachments:
 1. Agenda Report - Certified Local Government Program
 2. CLG Manual
 3. Draft Letter from Elected Official
 4. Informational Flyer
- 7. 2025-277: Updated Intergovernmental Agreement for Norcross City Center East TAD**
Approve a modification of the April 1, 2016 Tax Allocation District (TAD) Intergovernmental Agreement (IGA) between the City of Norcross and Gwinnett County to extend the IGA through December 31, 2032.
Attachments:
 1. Agenda Report - Updated Intergovernmental Agreement for Norcross City Center East TAD
 2. TAD IGA between CON and Gwinnett County, effective April 1, 2016
 3. Proposed Modifications to the IGA

8. 2025-285:**Custodial Contract Amendment**

Approve the price increase and contract amendment with Good Success to cover the enhanced cleaning frequencies and upgraded service needs required to keep City facilities properly maintained.

Attachments:

1. Agenda Report - Custodial Contract Amendment
2. Summary of Changes
3. Contract Amendment

9. 2025-284:**Amendments to Hotels/Motels Ordinance as it pertains to Short Term Rentals within the City**

Approve the amendment to Sections 8-500 through 8-523 of Chapter 8, Article XII, entitled "Hotels/Motels" of the Code of Ordinances as provided in the attached ordinance.

Attachments:

1. Agenda Report - Amendments to Hotels/Motels Ordinance as it pertains to Short Term Rentals within the City
2. Short-Term Rental Redlines
3. Execution Copy Short-Term Rental

M. Items for Discussion**N. Adjourn in memory of****O. Adjourn to Executive Session for Legal, Personnel, and Real Estate**

P. Signed by _____ Mayor Craig Newton

Q. Attest _____ Monique Philip, City Clerk

City of Norcross

65 Lawrenceville Street

Norcross, GA 30071



Meeting Minutes

Monday, October 6, 2025

6:30 PM

Council Chambers

Regular Council Meeting

Mayor Craig Newton

Mayor Pro Tem Marshall Cheek

Councilmember Andrew Hixson

Councilmember Josh Bare

Councilmember Matt Myers

Councilmember Bruce Gaynor

Meeting Recording:

<https://norcrossga.portal.civicclerk.com/event/43/files/agenda/163>

A. Call to Order by Mayor Craig Newton

The meeting was called to order at 6:32 PM by Mayor Newton.

B. Invocation by Councilmember Gaynor**C. Pledge of Allegiance to the Flag of the United States of America****D. Roll Call (recorded)**

Attendee Name	Title	Status	Arrived
Craig Newton	Mayor	Present	
Marshall Cheek	Mayor Pro Tem	Present	
Andrew Hixson	Councilmember	Present	
Josh Bare	Councilmember	Present	
Matt Myers	Councilmember	Present	
Bruce Gaynor	Councilmember	Present	

E. Presentation of Previous Meeting Minutes for Acceptance

A motion to approve the minutes of the Mayor and Council Regular Council Meeting on September 2, 2025, and the Policy Work Session and executive session on September 15, 2025.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

**F. Set Agenda As Presented for Scheduled Meeting
Acceptance of the Agenda and Approval of the Consent Agenda.**

A motion to Accept the agenda and approve the consent agenda with the following items being moved to discussion:

25-7444: The Crossing Lease Renewal Agreement

25-7448: Appointment of an Advisory Committee to Consider Accessory Dwelling Unit Text Amendments

25-7453: Ability to Vote on Select Items at Policy Work Sessions

25-7456: Contribution to Norcross High School Football

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

G. Ceremonial Presentations, Recognitions, and Swearing in Ceremonies**H. Floor Open to Citizens Desiring to Address the Governing Authority****a. Comments by Citizens**

Anne Hall, representing the Norcross Gallery and Studios (NGS), announced upcoming ArtSplash events and fundraisers, including an ArtWalk, a potential parklet painting, and print sales supporting the 2026 Photography Contest. She also reminded the public that NGS is open Thursdays and Fridays from 11 a.m. to 4 p.m. as an open studio for art enthusiasts.

Kathleen Allen suggested that for future City of Norcross elections, the City Clerk's Department oversee candidate forums and that the City promote and publicize these events in both English and Spanish, with an impartial moderator to ensure fairness and strengthen civic engagement. She also expressed concern about an email from the PDC that included inappropriate language.

Mario Muth clarified that the PDC email referenced in Mrs. Allen's comments was the result of human error and an unintentional mistake, and a correction email was issued immediately after. He stated that those serving with the PDC volunteer their time to support the City, that the forums are conducted fairly and without bias, and expressed concern about tax dollars being spent on such discussions.

Chuck Paul stated that the City has never hosted candidate debates and that the PDC has taken the initiative to organize them. He noted that he requested assistance from the City to advertise the event but was informed that the City would not do so. Mr. Paul explained that the event was promoted through the Gwinnett Forum, Young Norcross, and all PDC subscribers.

Eric Allen stated that while the PDC has dedicated volunteers, it does not reach all residents and agreed that the City should host future candidate forums to ensure broader civic engagement. He also expressed concern about recent candidate forum conduct, describing it as inappropriate and politically intimidating.

Reid Forman shared that he and his wife hope to relocate to Norcross for better educational opportunities for their daughter, but cited housing costs as a barrier. He expressed support for the Techie Homes project as an affordable housing option for diverse new residents.

Dave Jones raised safety concerns related to visibility at Wingo and Jones Street, noting that the new pocket park obstructs the view of oncoming traffic and recommended additional signage to improve safety.

Jim Eyre supported Council voting at Policy Work Sessions where legally permissible, encouraged including professionals on advisory committees, and supported a fair, market-consistent rent adjustment for Crossing Steakhouse.

b. Comments by Council

c. Comments by City Manager

I. Public Hearings

1. 25-7434: REZ2025-003 636, 646, 656, 658 West Peachtree Street

A motion to table this item to the October 20 Policy Work Session.

RESULT: APPROVED [3:2]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Bare, Cheek, Hixson

NAYS: Gaynor, Myers

2. 2025-254: Condemnation for Temporary Easements and Right of Way at East Side of Mitchel Road (PIN: R6214-044) (Norcross Greenway 58).

A motion to approve the exercise of eminent domain as it pertains to Greenway Project Parcel 58 in the amount of \$140,000.00 and authorize the City Attorney to initiate condemnation proceedings.

RESULT: APPROVED [UNANIMOUS] MOVER:
Marshall Cheek, Mayor Pro Tem *SECONDER:*
Bruce Gaynor, Councilmember *AYES: Cheek,*
Hixson, Bare, Gaynor
NAY: Myers

3. 2025-255: Condemnation for Driveway and Temporary Easements and Right of Way at 2270 Mitchel Road (PIN: R6225-346) (Norcross Greenway 26)

A motion to approve the condemnation for driveway and temporary easements and right-of-way at 2270 Mitchell Road (PIN: R6225-346) (Norcross Greenway 26) and to authorize the Mayor to sign the eminent domain resolution, with a two-week delay to allow for possible discussions between the property owner and the City to resolve the matter outside of court, in the amount of \$6,700, and to authorize the City Attorney to initiate condemnation proceedings after the two-week period.

RESULT: APPROVED [UNANIMOUS]
MOVER: Bruce Gaynor, Councilmember
SECONDER: Andrew Hixson, Councilmember
AYES: Cheek, Hixson, Bare, Myers, Gaynor

4. 2025-256: Condemnation for Temporary Easement at 0000 Mitchel Road (PIN: R6242-114) (Norcross Greenway Parcel 3)

A motion to approve the exercise of eminent domain as it pertains to Greenway Project Parcel 3 in the amount of \$500.00 and authorize the City Attorney to initiate condemnation proceedings.

RESULT: APPROVED [UNANIMOUS]
MOVER: Matt Myers, Councilmember
SECONDER: Josh Bare, Councilmember
AYES: Cheek, Hixson, Bare, Myers, Gaynor

J. Reports of the Mayor and Councilmembers

a. General Announcements

OCTOBER CALENDAR OF EVENTS

Artober Lineup

Now - Friday, November 7 | Lineup At norcrossga.net/artober

Spirits Of The Season Lineup

Now - Saturday, November 1 | Lineup At norcrossga.net/spiritsoftheseason

Norcross Art Splash Festival

Saturday, October 11 | 10:00 a.m. - 6:00 p.m. | Thrasher Park

Movie Monday: Coco

Monday, October 13 | 1:30 & 6:30 p.m. | Cultural Arts & Community Center

Advance Voting

Tuesday, October 14 - Friday, October 31 | 9:00 a.m. - 5:00 p.m.; Saturdays, October 18 and 25

Coffee With Council

Saturday, October 18 | 8:00 a.m. | 45 South Cafè

Pedal Norcross

Saturday, October 18 | 3:00 - 6:00 p.m. | Downtown Norcross

Day Of Play

Friday, October 22 | 5:00 - 6:30 p.m. | Lillian Webb Park

Deutsche Klassic German Car Show

Saturday, October 25 | 10:00 a.m. - 3:00 p.m. | Downtown Norcross

Movie Monday: The Adams Family

Monday, October 27 | 1:30 & 6:30 p.m. | Cultural Arts & Community Center

Election Day

Tuesday, November 4 | 7:00 a.m. - 7:00 p.m.

K. Board Appointments

The Mayor and Council will consider appointments and reappointments to the following Boards, Commissions, or Authorities:

Norcross Housing Authority

A motion to Approve the appointment of Michelle Simpson to the Norcross Housing Authority with a term expiration date of 12/1/2026.

A motion to Approve the reappointment of resident commissioner Barbara Bevels, with a term expiration date of 12/1/2026.

RESULT: APPROVED BY MAYOR NEWTON

Norcross Public Arts Commission

A motion to Approve the appointment of Samantha Spitzner to the Norcross Public Arts Commission with a term expiration date of 12/1/2027.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

Zoning Board of Appeals

A motion to Approve the appointment of Eleanor Gilchrest to the Zoning Board of Appeals, with a term expiration date of 6/1/2026.

RESULT: APPROVED [UNANIMOUS]

MOVER: Andrew Hixson, Councilmember

SECONDER: Marshall Cheek, Mayor Pro Tem

AYES: Cheek, Hixson, Bare, Myers, Gaynor

L. Consent Agenda

A motion to approve the Consent Agenda.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

1. 25-7449: Safe Streets for All (SS4A) Safety Action Grant Execution

1. A motion to authorize the execution of a grant agreement with the United States Department of Transportation (US DOT) for the development of a Safe Street for All (SS4A) Planning and Demonstration project to create a Safety Action Plan for the City of Norcross, subject to final review by the City Attorney's office and authorize the Mayor to sign all related documents; and

2. A motion to authorize the City Manager's office to issue an RFP for services related to the creation of the Safety Action Plan at the appropriate time.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

2. 25-7450: Norcross Ready to Ride: Safe Cycling to School Initiative

A motion to approve the recommendations outlined in Item 25-7450 to advance the Norcross Ready to Ride: Safe Cycling to School Initiative.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

3. 25-7442: Request for City Sponsorship for Paint Love Mural at Norcross Elementary

A motion to approve a contribution of \$2,000 in sponsorship of the Paint Love mural at Norcross Elementary, supporting both the students' creativity and the City's legacy of community pride, funded by the Norcross Public Arts Commission.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

4. 25-7443: Restoration of "Greetings from Norcross" Mural with Historical Update

A motion to approve the removal and reinstallation of the "Greetings from Norcross" mural at 7 Jones Street (Savage Pizza wall), replacing the cotton gin image in the first "R" with Clara Nesbit, at a total project cost of \$2,000.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

6. 25-7445: Pay Range Shift FY2025-2026

A motion to approve a shift in current pay ranges (minimum and maximum) for the classification system of 2%, to facilitate pay ranges not falling significantly behind those of jurisdictions with which the city competes to attract and retain employees.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

7. 25-7446: City of Norcross City-Wide ACS Upgrade (Phase 1)

A motion to authorize the replacement of the City of Norcross's outdated and intermittently functional access control system with a modern, reliable, and comprehensive system.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

8. 25-7447: Norcross Power Feasibility Study

A motion authorizing Norcross Power to conduct a feasibility study with MEAG for a high-density load on Lively St, including preliminary engineering and project cost estimates, for a total of \$25,000.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

M. Items for Discussion**5. 25-7444: The Crossing Lease Renewal Agreement**

A motion to approve a lease renewal agreement for The Crossing between the City of Norcross and Luis Fernandez, 40 South Peachtree Street, Norcross, GA, 30071.

RESULT: APPROVED [4:1]

MOVER: Matt Myers, Councilmember

SECONDER: Bruce Gaynor, Councilmember

AYES: Cheek, Hixson, Myers, Gaynor

NAYS: Bare

9. 25-7448: Appointment of an Advisory Committee to Consider Accessory Dwelling Unit Text Amendments

A motion to direct staff to prepare a proposed ordinance change related to Accessory Dwelling Unit text amendments for consideration and advancement through the normal hearing processes.

RESULT: APPROVED [UNANIMOUS]

MOVER: Josh Bare, Councilmember

SECONDER: Matt Myers, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

10. 25-7453: Ability to Vote on Select Items at Policy Work Sessions

A motion to table this item to the October 20 PWS for further discussion.

RESULT: APPROVED [UNANIMOUS]

MOVER: Bruce Gaynor, Councilmember

SECONDER: Josh Bare, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

11. 25-7456: Contribution to Norcross High School Football

A motion to approve a contribution of up to \$5,000 in support of the Norcross High School Football team in the form of paying costs for team helmets.

RESULT: APPROVED [3:2]

MOVER: Josh Bare, Councilmember

SECONDED: Matt Myers, Councilmember

AYES: Cheek, Bare, Myers

NAYS: Gaynor, Hixson

N. Adjourn in memory of**O. Adjourn to Executive Session for Legal, Personnel, and Real Estate**

The meeting adjourned at 8:26 PM with a motion to adjourn made by Councilmember Gaynor, seconded by Councilmember Bare.

P. Signed by _____ Mayor Craig Newton

Q. Attest _____ Monique Philip, City Clerk

City of Norcross

65 Lawrenceville Street

Norcross, GA 30071



Meeting Minutes

Monday, October 20, 2025

5:30 PM

2nd Floor Conference Room

Special Called Meeting

Mayor Craig Newton

Mayor Pro Tem Marshall Cheek

Councilmember Andrew Hixson

Councilmember Josh Bare

Councilmember Matt Myers

Councilmember Bruce Gaynor

A. Call to Order by Mayor Craig Newton

The meeting was called to order at 5:32 pm.

B. Roll Call (recorded)

Attendee Name	Title	Status	Arrived
Craig Newton	Mayor	Present	
Marshall Cheek	Mayor Pro Tem	Present	
Andrew Hixson	Councilmember	Present	
Josh Bare	Councilmember	Present	
Matt Myers	Councilmember	Present	
Bruce Gaynor	Councilmember	Present	

C. Meeting Closed for Executive Session for Legal Matters

Mayor Pro Tem Cheek motioned to close for an executive session for legal matters, seconded by Councilmember Hixson. The vote was approved unanimously, 5-0.

D. Return to Open Session for Actions from Executive Session

Councilmember Gaynor motioned to return to open session for actions from executive session, seconded by Councilmember Bare. The vote was approved unanimously, 5 - 0.

E. Item for Discussion**1. 2025-287: Approve Settlement Agreement of Hanebuth v. City of Norcross et al 24-05037-TWT and approve City contribution**

A motion to deny approval of the Hanebuth v. City of Norcross et al (24-05037-TWT) settlement agreement and release, and the City's contribution to the settlement amount.

RESULT: APPROVED [UNANIMOUS]

MOVER: Bruce Gaynor, Councilmember

SECONDER: Andrew Hixson, Councilmember

AYES: Cheek, Hixson, Bare, Myers, Gaynor

F. Adjourn

Councilmember Gaynor motioned to adjourn the meeting at 6:33 pm, seconded by Councilmember Bare. The vote was approved unanimously, 5-0.

G. Signed by _____ Mayor Craig Newton

H. Attest _____ Monique Philip, City Clerk

City of Norcross

65 Lawrenceville Street

Norcross, GA 30071



Meeting Minutes

Monday, October 20, 2025

6:30 PM

2nd Floor Conference Room

Policy Work Session

Mayor Craig Newton

Mayor Pro Tem Marshall Cheek

Councilmember Andrew Hixson

Councilmember Josh Bare

Councilmember Matt Myers

Councilmember Bruce Gaynor

Meeting Recording:

<https://norcrossga.portal.civicclerk.com/event/178/media>

A. Roll Call (recorded)

Attendee Name	Title	Status	Arrived
Craig Newton	Mayor	Present	
Marshall Cheek	Mayor Pro Tem	Present	
Andrew Hixson	Councilmember	Present	
Josh Bare	Councilmember	Present	
Matt Myers	Councilmember	Present	
Bruce Gaynor	Councilmember	Present	

B. Citizen Input

Anne Hall reported that Norcross Gallery & Studios supported the City's arts scene through its Art Splash Paint Off and Art Walk on October 11–12. She noted that the *Shapes* silent auction is now open at 116 Carlyle Street, featuring over 150 original artworks, ceramics, and jewelry—including the Paint Off pieces—and invited the Mayor, Council, and community to visit Thursday–Saturday, 11 a.m.–4 p.m.

Charlotte Osborne spoke about the importance of maintaining shade trees and expressed her concerns regarding their removal in the downtown area.

Mary Dowdy expressed her appreciation for the paving work near her home but requested that the vendor provide advance notice before the paving begins.

C. Board Updates

Norcross Housing Update presented by Ms. Gail Newton and Ms. Pam Hopper.

D. General Updates

* Downtown Parking Expanded – Len Housley

E. Council- General Discussions**F. City Manager's Report****G. Board Appointments**

The Mayor and Council will consider appointments and reappointments to the following Boards, Commissions, or Authorities:

Discovery Garden Board

H. Items for Discussion**1. 2025-276: Request for Noise Ordinance Waiver for Norcross Porchfest***RESULT:**This matter was referred to the November 3, 2025, Regular Council Meeting.***2. 25-7434: REZ2025-003 636, 646, 656, 658 West Peachtree Street***RESULT:**This matter was referred to the November 3, 2025, Regular Council Meeting.***3. 2025-286: Community Funding Request – Lost Art Entertainment, LLC***RESULT:**This matter was discussed, and no further action will be taken at this time.***4. 2025-279: Authorization for FYE2025 Budget Amendments Project***RESULT:**This matter was referred to the November 3, 2025, Regular Council Meeting.***5. 2025-278: Accept and Appropriate Donation – NPAC White Squirrel***RESULT:**This matter was referred to the November 3, 2025, Regular Council Meeting.***6. 2025-280: Employee Handbook Revision 2025***RESULT:**This matter was referred to the November 3, 2025, Regular Council Meeting.***7. 2025-288: Retiree Medicare Health Plan Renewal Changes***RESULT:**This matter was referred to the November 3, 2025, Regular Council Meeting.***8. 2025-282: Certified Local Government Program***RESULT:**This matter was referred to the November 3, 2025, Regular Council Meeting.***9. 2025-277: Updated Intergovernmental Agreement for Norcross City Center East TAD***RESULT:**This matter was referred to the November 3, 2025, Regular Council Meeting.*

10. 25-7452: Fan(s) in Thrasher Park Amphitheater*RESULT*

This matter was discussed and referred to staff for implementation of portable ground "Squirrel Fans."

11. 2025-285: Custodial Contract Amendment*RESULT:*

This matter was referred to the November 3, 2025, Regular Council Meeting.

12. 25-7451: Thrasher Park Lighting Plan*RESULT:*

This matter was discussed and referred to staff for the issuance of an RFP.

13. 25-284: Amendments to Hotels/Motels Ordinance as it pertains to Short Term Rentals within the City*RESULT:*

This matter was referred to the November 3, 2025, Regular Council Meeting.

14. 25-7365: City Manager Follow-Up and Prioritization on Mayor and Council-Initiated Requests*RESULT:*

This matter was discussed and moved to the November 17, 2025, Policy Work Session.

15. 25-7453: Ability to Vote on Select Items at Policy Work Sessions*RESULT:*

This matter was discussed and moved to the November 17, 2025, Policy Work Session.

I. Adjourn to Executive Session for Legal, Personnel, and Real Estate

The meeting was adjourned to Executive Session for legal and personnel at 9:03 pm by Councilmember Gaynor, seconded by Councilmember Myers. The vote was unanimous.

J. Signed by _____ Mayor Craig Newton

K. Attest _____ Monique Philip, City Clerk



Mayor: Craig Newton • **Mayor Pro Tem:** Marshall Cheek • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Bruce Gaynor • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

AGENDA REPORT

To: Mayor and Council

From: David Versel, Economic Development Director

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No.: 25-7434

Title: REZ2025-003 Creation of a new 21-lot single family detached Planned Residential Development (PRD) with 21 cottage style homes

CC: Eric Johnson, City Manager

Recommendation

Consider a recommendation of approval from the Planning and Zoning Board by a vote of 4-0 on the zoning component of REZ2025-003, the adoption of zoning standards under the existing Planned Residence District (PRD) for the property located at 636 West Peachtree Street, 646 West Peachtree Street, 656 West Peachtree Street, 658 West Peachtree Street, and parcel 6253 288.

This approval will also require the granting of a concurrent variance to allow the development to exceed the threshold for Medium Density Residential for the Hopewell Woods Character Area, which is defined in the Norcross Comprehensive Plan as being “up to and including 12 units per acre.”

Staff recommends approval of the application and the attached ordinance with the following 14 conditions:

1. The PRD zoning designation shall be restricted to a single-family development up to a maximum of 21 units;
2. The property shall be developed in general conformance with the site plan dated receipt 05/16/2025;
3. To address the potential sidewalk and landscape strip requirement challenges, applicant to contribute a fee-in-lieu toward a sidewalk improvement fund;
4. All common areas, including but not limited to storm water systems, shall be maintained by the HOA;
5. It is acknowledged that the Gwinnett County Fire Marshal or another reviewing agency may require modifications to the site for oversized vehicles such as fire and garbage trucks and minor adjustments to the site concept plan shall be approved by the Community Development Director in response to Gwinnett County comments is allowed;
6. Subject to Gwinnett County Water and Sewer comments and recommendations;
7. Plant material use on site in landscape strips and buffers are subject to review and approval of the City Arborist and Community Development & Planning Director. Impacts of plant

materials on paved areas in the public right-of-way are subject to approval of the City Engineer;

8. Location of stormwater detention is subject to the approval of the City Engineer;
9. All utilities shall be buried;
10. The development shall comply with the Architectural Review Board's conditions of approval. These conditions allow homeowners to choose from one of two base colors and one of four siding accent colors. Any changes to previously approved plans shall be subject to the formal advertising and review process of the Architectural Review Board.
11. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with any specific design standard or UDO code section not addressed in the staff report;
12. This approval shall be contingent on the establishment of covenants, conditions, and restrictions by the HOA that: a) prohibit any person or entity from owning more than one unit in the community; and b) only permit 15 percent of the units in the community to be occupied by renter households.
13. Any off-street parking spaces on an adjacent property that the applicant intends to apply towards the required number of parking spaces must be reserved for use by residents and guest at all times via a formal agreement with the owner of the adjacent property.
14. In order to use any adjacent property as a construction staging area, a formal agreement must be obtained from the owner of the adjacent property.

Background

The subject parcels, formerly owned by the City of Norcross, were zoned Planned Residence District as part of the creation of the Unified Development Ordinance in 2019. The applicant responded to the city's Request for Proposal (RFP #ED 24-08) to develop the property. The applicant was selected as the winning bidder by the City of Norcross and subsequently closed on the acquisition of the property from the City in November 2024.

The applicant seeks site plan approval for a 21-unit cottage-style single-family development on a 1.67-acre Planned Residence District (PRD) site, comprised of five assembled parcels. The net density is 12.57 units per acre, which rounds up to 13 units per acre. As a note, the City's RFP document stated that the site was 1.73 acres in size – this was an estimate based on GIS data and was not calculated from a boundary survey. The 21-unit concept plan was based on this lot size, which would have resulted in a net density of 12.14 units per acre, which rounds down to 12 units per acre. The site is located within the Hopewell Woods character area, which envisions a maximum residential density of 12 units per acre.

The development features perimeter setbacks of 25 feet adjacent to West Peachtree Street, 15 feet adjacent to the eastern and western property lines, and 20 feet at the northern rear boundary. The site plan includes 36 surface level parking spaces, 24-foot-wide drive aisles, and 5-foot-wide sidewalks throughout the community connecting residents to a mail kiosk and amenity area. A trash collection hub is located near the entrance off West Peachtree Street. Valet trash service will be provided daily, with staff collecting trash and bringing it to the designated trash collection hub. The HOA will manage trash collection and fees, with weekly pickups from at least 10 bins located at the hub.

The Gwinnett County Department of Water Resources is required by Georgia Environmental Protection Division to provide reasonable protection for water facilities. According to the requirements, a six (6') foot fence topped with barbed wire is necessary adjacent to the existing water facility. Additionally, landscaping restrictions apply to ensure the fencing remains accessible and visible. The existing sidewalk adjacent to West Peachtree Street is four (4') feet wide. The applicant has expressed concerns with having to reengineer stormwater drainage underneath those sidewalks to widen the proposed sidewalks to five (5') feet.

The 21 cottage-style homes will feature a mix of one-story (6 units) and two-story (15 units) designs, with a starting price range of \$215,767 to \$225,575. The homes will be a minimum of 624 square feet. The design of these proposed homes was the subject of an Architectural Review Board (ARB) review on July 15 and August 19, 2025 and was approved by the ARB at the August 19, 2025 meeting with 12 conditions – these are presented in the attached Staff Report.

The Design Guidelines provided by the City of Norcross as part of the RFP specified that proposals were required to provide two (2) spaces per unit. The applicant's Technical Proposal submitted on August 13, 2024, in response to the RFP stated that they proposed to provide two parking spaces per unit. However, the conceptual site plan submitted with the rezoning application only indicates 36 parking spaces for the 21 units (1.71 spaces/unit).

At the Planning & Zoning Board meeting on September 3, 2025, Applicant stated that they would attempt to provide two parking spaces per unit for the two-story units, but that the one-story units would not require two assigned units. Applicant added that their two completed developments only provide one on-site parking space per unit and that only 70 percent of the spaces are typically used.

At the September 15, 2025 Policy Work Session, Applicant stated that they were in conversation with Hopewell Missionary Baptist Church regarding the use of their small parking lot at the corner of West Peachtree and Hunter Streets, and that the church was amenable to allowing overflow parking for visitors to the development. Applicant further indicated that this parking lot could be used as a staging area during construction of the project. Applicant has not provided any record of a formal agreement with the church at this time.

Updates

This item was on the agenda for the October 6, 2025 Regular Council Meeting. During this meeting, four issues were raised. Staff has reviewed each of these issues and has provided responses below. These issues were presented and discussed at the October 15, 2025 Policy Work Session. Following this discussion, a change was made to recommended Condition #10 to clarify that homeowners are able to choose the color of their homes from an approved palette of paint and siding colors. These colors are shown in the attached Staff Report.

Issue #1: Parallel Parking on West Peachtree Street

It was suggested that the project should include parallel parking spaces along the site's West Peachtree Street frontage.

Staff response: Staff believes that locating parallel parking at this location would be problematic for several reasons. First, the proximity to Kelly Street and the private alley between Hunter and Kelly could create hazardous conditions – a traffic study and a review of stopping sight distances would be necessary to understand this. Second, additional ROW dedication would be required to accommodate on-street parking, which could likely impact setbacks and, potentially, compromise the overall layout of the community. Third, the land disturbance that would be required to accommodate parallel parking would necessitate significant costs to both the developer and the City related to sidewalks, catch basins, stormwater pipes and the regrading of the road.

Issue #2: Orientation of Homes

It was suggested that the four homes located along West Peachtree Street should have their front facades oriented towards West Peachtree Street, rather than facing internally.

Staff response: Staff endorses the applicant's design of the site based on the community design principles expressed in the applicants RFP response and subsequent submitted. Specifically, staff acknowledges that the courtyard orientation of the development emphasizes communal connections within the site, and that orienting homes outwardly towards West Peachtree Street would take away from the overall character of the project. The site would maintain a strong connection to the larger community via the proposed pedestrian connections from West Peachtree Street.

Issue #3: Orientation of Interior Parking Spaces

It was suggested that the parking spaces located at the back of the site could be difficult to access for the residents, and that additional parking could be provided at the adjacent church lot.

Staff response: This parking layout was reviewed by Community Development & Planning staff and was found to be consistent with the City's design standards for parking lots. The plan was also reviewed by the Gwinnett County Fire Department, which provided comments regarding accessibility for emergency vehicles. Recommended Condition #5 reflects this concern. However, it should be noted that this is still a preliminary design, and that the final engineered design that will be required to obtain a Land Disturbance Permit will undergo review by the City Engineer.

Regarding the potential loss of any parking spaces during the site design process, Staff has recommended adding Condition #13 to require a formal agreement with the church in order to apply of any of the church's parking spaces towards the parking count. Staff has also recommended adding Condition #14 to require a similar agreement for use of the adjacent parking lot as a construction staging area.

Issue #4: Potential Impact of Street Trees on the Sidewalk

It was suggested that the Proposed Tree Plan presented by the applicant could result in damage to sidewalks.

Staff response: The City Arborist reviewed and provided input on the Proposed Tree Plan as part of Staff review. Additionally, recommended Condition #7 states: "*Plant material use on site in landscape strips and buffers are subject to final approval of the City's Arborist*". The final Tree Plan that will be submitted as part of the LDP process will be reviewed further by the City Arborist – this could include requiring the use of root barriers to protect sidewalks and other public infrastructure. To address this issue, Staff has recommended amending Condition #7 to note the potential impacts to sidewalks.

Financial Impact

Residential property taxes will increase from the development of this property. Current scope of impact to City revenues are unknown at this time.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

1. Continues to define Norcross' sense of place
2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment
4. Maintains a Vibrant Economy and Continue to Facilitate Job Growth
5. Ensures that Norcross Residents have a Variety of Attainable, Quality Housing Options

Attachments

1. Draft Ordinance
2. P&Z Staff Report Package
3. Rezoning Application

Next Steps

None

ORDINANCE NO.

**AN AMENDMENT TO THE OFFICIAL
ZONING MAP FOR THE CITY OF NORCROSS WITH
CONDITIONS TO ZONING AS APPLICABLE TO THE PROPERTY
COMMONLY KNOWN AS 656 & 658 WEST PEACHTREE STREET (PIN R6253 288).**

ENACTING CLAUSE. The Mayor and City Council of the City of Norcross, Georgia, hereby ordains that the adopted Zoning Map for the City of Norcross is amended as more particularly set forth below. It is the intention of the Mayor and City Council, and it is hereby ordained that the following provisions shall become and be made a part of the Zoning Map.

I. AMENDMENT TO ZONING MAP

The real property commonly known as 656 & 658 West Peachtree Street (PIN R6253 288) and more particularly described in the attached Exhibit 1 (the “Subject Property”) came before the Norcross City Council on September 30, 2025 for a public hearing considering the rezoning of the Subject Property. The public hearing was conducted and, having considered the zoning decision before the legislative body, the Subject Property was zoned Planned Residence District (PRD) subject to the following conditions:

1. The PRD zoning designation shall be restricted to a single-family development up to a maximum of 21 units;
2. The property shall be developed in general conformance with the site plan dated receipt 05/16/2025;
3. To address the potential sidewalk and landscape strip requirement challenges, applicant to contribute a fee-in-lieu toward a sidewalk improvement fund;
4. All common areas, including but not limited to storm water systems, shall be maintained by the HOA;
5. It is acknowledged that the Gwinnett County Fire Marshal or another reviewing agency may require modifications to the site for oversized vehicles such as fire and garbage trucks and minor adjustments to the site concept plan shall be approved by the Community Development Director in response to Gwinnett County comments is allowed;
6. Subject to Gwinnett County Water and Sewer comments and recommendations;
7. Plant material use on site in landscape strips and buffers are subject to review and approval of the City Arborist and Community Development & Planning Director. Impacts of plant materials on paved areas in the public right-of-way are subject to approval of the City Engineer;
8. Location of stormwater detention is subject to the approval of the City Engineer;
9. All utilities shall be buried;
10. The development shall comply with the Architectural Review Board's conditions of approval. These conditions allow homeowners to choose from one of two base colors and

one of four siding accent colors. Any changes to previously approved plans shall be subject to the formal advertising and review process of the Architectural Review Board.

11. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with any specific design standard or UDO code section not addressed in the staff report;
12. This approval shall be contingent on the establishment of covenants, conditions, and restrictions by the HOA that: a) prohibit any person or entity from owning more than one unit in the community; and b) only permit 15 percent of the units in the community to be occupied by renter households.
13. Any off-street parking spaces on an adjacent property that the applicant intends to apply towards the required number of parking spaces must be reserved for use by residents and guest at all times via a formal agreement with the owner of the adjacent property.
14. In order to use any adjacent property as a construction staging area, a formal agreement must be obtained from the owner of the adjacent property.

II. REPEALER.

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

III. EFFECTIVE DATE.

This Ordinance shall become effective immediately and shall remain in effect until revised or repealed by further action the Mayor and Council of the City of Norcross.

IN WITNESS WHEREOF, I have hereunto set my hand and cause this seal to be affixed this _____ day of _____, 2025.

Craig Newton, Mayor

ATTEST:

Monique Philip, City Clerk

Exhibit 1

-Legal Description-

DRAFT



Meeting Date: 9/3/2025 at 6:30 PM	Petition Number: REZ2025-003
Project Type:	New single-family residential development
Property Location:	636 West Peachtree Street, 646 West Peachtree Street, 656 West Peachtree Street, 658 West Peachtree Street
Tax Parcel ID:	6253 028, 6253 027, 6253 026, 6253 262, 6253 288
Petitioner:	Booker Washington of Techie Homes
Petitioner's Request:	Creation of a new 21-lot single family detached Planned Residential Development (PRD) with 21 cottage style homes
Recommendation:	Approval with conditions

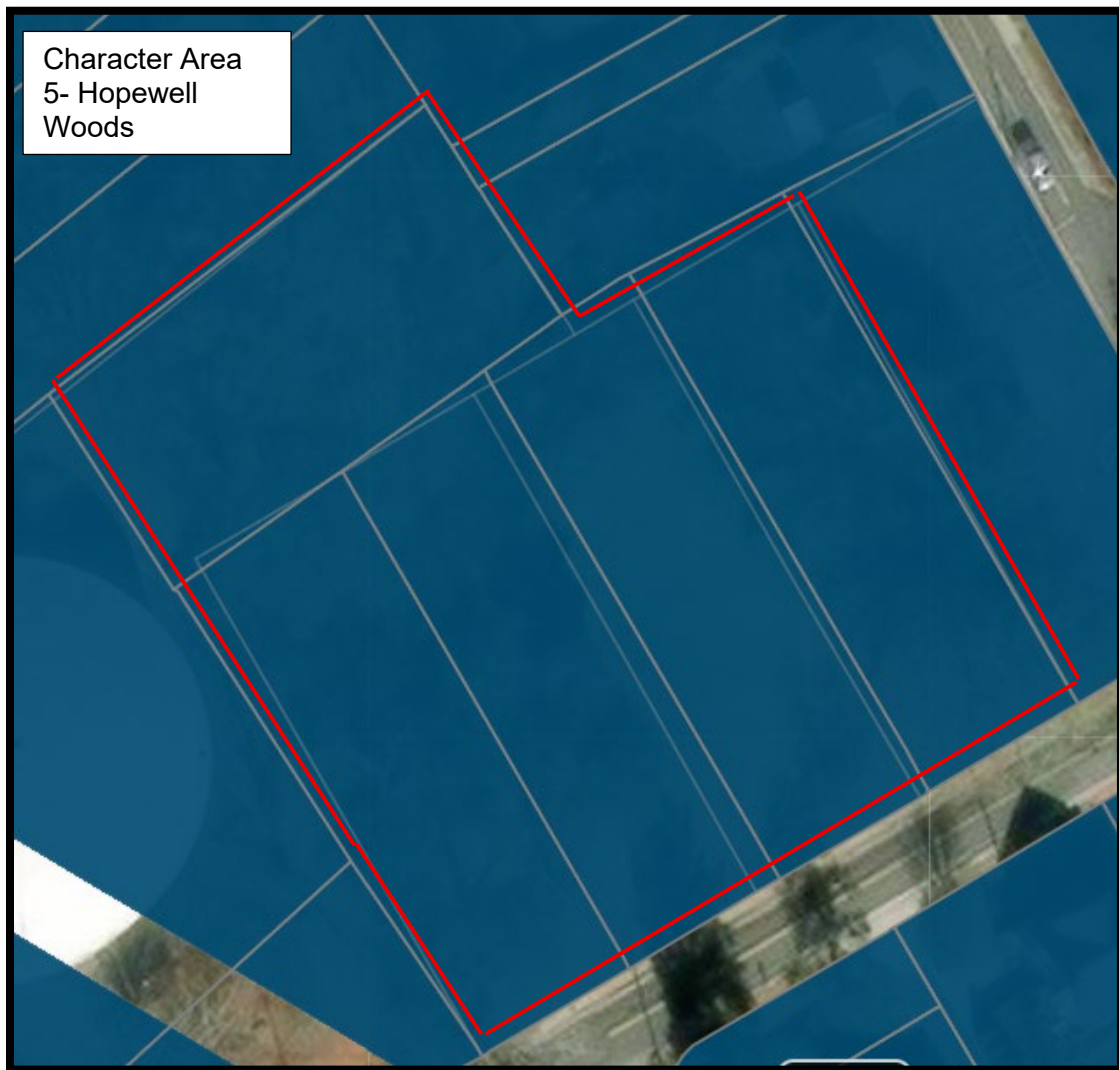
Summary

The applicant seeks site plan approval for a 21 unit cottage-style single-family development on a 1.67-acre Planned Residence District (PRD) site, comprised of five assembled parcels.

Timeline

The Norcross UDO Section 104-3.B requires rezoning applications for Planned Residence District (PRD) to first be reviewed by the Architectural Review Board, followed by Planning and Zoning Board, Mayor and Council's policy meeting and the Mayor and Council's regular meeting for final action. Below is the proposed schedule of dates.

Board	Meeting Type	Meeting	Meeting Time	Room
ARB	Hearing	7/15/2025	6:00 PM	2nd Floor Conference Room
ARB	Hearing	8/19/2025	6:00 PM	2nd Floor Conference Room
P&Z	Hearing	9/3/2025	6:30 PM	2nd Floor Conference Room
MCC Policy	Meeting	9/15/2025	6:30 PM	2nd Floor Conference Room
MCC Regular	Hearing	10/06/2025	6:30 PM	Council Chambers



PROPERTY INFORMATION			
636 West Peachtree Street, 646 West Peachtree Street, 656 West Peachtree Street, 658 West Peachtree Street, and parcel 6253 288 Norcross, GA 30071			
Zoning & Land Use			
Current Zoning: PRD	Requested Zoning: N/A	Acreage: 1.67 acres	2045 Comprehensive Plan Designation: Hopewell Woods
Estimated Dimensions			
As this is a proposal for a PRD development, proposed lot and building dimensions vary.			
Existing Lot Dimensions:	The 1.67-acre development is an assemblage of five (5) parcels		
Building Dimensions:	According to the concept plan, minimum heated floor area is 624 square feet		
500ft Adjoining Parcels: Developments, Zoning & Uses			
North	R-75 Single Family Residences		
South	R-75 and R-60 Single Family Residences		
East	PRD Surface Level Parking owned by Hopewell Missionary Baptist Church		
West	PRD Gwinnett County Water Tower Facility		
Topography			
Topography:	High Point: Approximately the middle of the subject parcels Low Point: Northside		
Elevation:	High Point: 1074 Low Point: 1056		
Encumbrances:	N/A		

Background

In June 2019 the city adopted the Unified Development Ordinance (UDO) and zoning map. This new UDO incorporated the use of a new, flexible district called the Planned Residential District (PRD) which allows flexibility in lot design, setbacks and building heights to achieve a more improved design. In exchange for this flexibility, the developer must present housing unit plans to the Architectural Review Board, the Planning and Zoning Board and final approval of the Mayor and Council a concept plan to which the development will be constructed. PRD developments are additionally subject to heightened scrutiny and development conditions to ensure that the project presented during the initial phases of review during zoning is ultimately what is developed and constructed.

Applicant's Request

The applicant seeks site plan approval for a 21-unit cottage-style single-family development on a 1.67-acre Planned Residence District (PRD) site, comprised of five assembled parcels. The net density is 12.57 units per acre.

Existing Conditions

The 1.67 acre site, comprising of five (5) parcels zoned Planned Residence District, is situated with four (4) parcels fronting directly on West Peachtree Street. The property falls within the Hopewell Woods future land use designation. There is an existing sidewalk along West Peachtree Street adjacent to the proposed development.

Project Description

Request for Proposal

The subject parcels, formerly owned by the City of Norcross, were zoned Planned Residence District as part of the creation of the Unified Development Ordinance in 2019. The applicant responded to the city's Request for Proposal (RFP #ED 24-08) to develop the property.

Concept Plan Description

The 21-cottage home development on a 1.67-acre site features perimeter setbacks of 25 feet adjacent to West Peachtree Street, 15 feet adjacent to the eastern and western property lines, and 20 feet at the northern rear boundary. The site plan includes 36 surface level parking spaces, 24-foot-wide drive aisles, and 5-foot-wide sidewalks throughout the community connecting residents to a mail kiosk and amenity area. A trash collection hub is located near the entrance off West Peachtree Street.

Proposed Waste Management Plan

Valet trash service will be provided daily, with staff collecting trash and bringing it to the designated trash collection hub. The HOA will manage trash collection and fees, with weekly pickups from at least 10 bins located at the hub.

Fencing Requirements adjacent to existing Water Facility

The Gwinnett County Department of Water Resources is required by Georgia Environmental Protection Division to provide reasonable protection for water facilities. According to the requirements, a six (6') foot fence topped with barbed wire is necessary adjacent to the existing water facility. Additionally, landscaping restrictions apply to ensure the fencing remains accessible and visible.

Existing Sidewalk adjacent to West Peachtree Street

The existing sidewalk adjacent to West Peachtree Street is four (4') feet wide. The applicant has expressed concerns with having to reengineer stormwater drainage underneath those sidewalks to widen the proposed sidewalks to five (5') feet.

Architectural Review Component

The 21 cottage-style homes will feature a mix of one-story (6 units) and two-story (15 units) designs, with a starting price range of \$215,767 to \$225,575. The homes will be a minimum of 624 square feet. The design of these proposed homes was the subject of an Architecture Review Board review on July 15 and August 19, 2025. The Architectural Review Board recommended the following 12 conditions for consideration of approval of this request (elevations reviewed are provided later in this report):

1. No elevation shall be the same as that of any adjacent home.
2. Units facing West Peachtree Street:
 - Rear elevations will have a gable over the door.
3. Unit to the left of the entrance will be mirrored so that side elevation with gable is facing West Peachtree Street.
4. Some kind of trash enclosure is required.
5. Two brick options:
 - Canyon Brick/Shale Brown
 - General Shale/Midtown Mist
6. Siding options: Listed on page 24 of agenda (August 19th ARB agenda).
7. Gable options: Listed on page 30 and 21 of agenda (August 19th ARB agenda).
8. Paint color options: Listed on page 24 and 30 (August 19th ARB agenda).
9. Shingles: Charcoal Grey
10. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance. The applicant and/or builder is responsible for conforming with any specific design standard or UDO code section not addressed in the staff report and Architectural Review Board approval.
11. Any changes from the Architectural Review Board approved component shall require ARB approval at another public hearing.
12. An architectural inspection shall occur prior to release of the certificate of completion or occupancy to confirm compliance with the ARB's approval.

ZONING ANALYSIS

Current Zoning

The subject parcels are zoned PRD (Planned Residence District). To the south, the zoning is R-75 and R-60 and that area consists of single-family residential uses developed as a traditional neighborhood design. To the north, the zoning is R-75 and that area consists of single-family residential uses. To the west, the zoning is PRD and that area consists of an undeveloped parcel and a Gwinnett County Water Tower facility. To the east is a surface level parking lot that is owned by Hopewell Missionary Baptist Church.

Zoning Request

The Planned Residence District (PRD) is intended to allow higher density and contain housing types allowed by the character area of the parcel. The Hopewell Woods Character Area where these parcels are located allows for medium density residential development at a density of up to 12 units per acre. The applicant is seeking to utilize the PRD (planned residential development) zoning designation to allow site plan flexibility but is proposing detached single-family homes as the land use, which is a permitted use. The proposed density is 12.57 units per acre for a total of 21 units. The total site acreage is 1.67. The overall density for a development in the PRD District is determined by an approved site plan for new development.

The applicant **proposes** the following development standards as shown on the site plan dated receipt May 16, 2025:

- Perimeter Front setback: 25 feet
- Perimeter Side setback: 15 feet
- Perimeter Rear setback: 20 feet
- Parking ratio: 36 surface level parking spaces are provided for
- Density: 12.57 units per acre
- Height: 1 to 2 stories
- Landscape strips: Required with sidewalk
- Buffers: Reductions requested as part of site plan review.

The UDO requires a 20-foot transitional buffer between R75 Zoning Districts and PRD. However, the applicant is not required to follow the buffer standards provided by the UDO within the PRD Zoning District. Developments approved through legislative review and tied to an approved concept plan will follow the buffers laid on that plan.

2045 Comprehensive Plan Analysis

The 2045 Comprehensive Plan, the “Comp Plan”, is a document that reflects the wishes of the community as acknowledged and adopted by the Mayor and Council. The Comp Plan contains four sections to determine the appropriateness of a zoning action. Those sections are: 1) Table 2.1 a matrix that depicts land uses by character area, 2) specific visions for each of the twelve-character areas, 3) the overarching policy goals for the city, and 4) Land Use Definitions. The subject parcels fall within Character Area 5, Hopewell Woods.

A. Land Uses by Character Area

The Hopewell Woods Character Area outlines appropriate scale of development and land use policies, including, ‘Planned residential communities offering a variety of housing options.’

Taken from Table 2.1, the following uses are either specifically detailed in the character area description or considered appropriate according to the matrix:

Appropriate Land Uses for Character Area 5 – Hopewell Woods	
Low Density Residential	Parks and Recreation
Medium Density Residential	Mixed-use (vertical)
Planned Residential Community (mixed housing types allowed)	Places of assembly
Skilled nursing facilities (no rehab)	Transportation, communication and utilities
Neighborhood level commercial, studio, or office (<5,000 sf)	

B. Policy Goals

Under the policy goals the proposed rezoning meets the following criteria:

- *Policy 1-3: Support opportunities for infill development that reflects the neighborhood character.*
- *Policy 5-1: Accommodate the housing needs of a diverse population by supporting the development of a variety of residential types and densities based on land use patterns.*

C. Character Area Vision

The Hopewell Woods Character Area contains four points that support the area’s vision of which the following applies:

- *Residential areas have a traditional design*
- *A mix of housing types accommodate varied incomes and life stages (young, singles, families, empty-nesters, etc.)*
- *Townhomes and other medium-density housing types create a transition from single-family neighborhoods*
- *High-end infill development provides housing options for working professionals.*

D. Land Use Definition

Planned residential community – a residential development whose essential features are a definable boundary, and a consistent, but not necessarily uniform character. Such developments may include a variety of housing types and typically share common recreational

amenities, private covenants, conditions, and restrictions enforced by a homeowners' association

Standards Governing the Exercise of Zoning Power

According to Section 103-11, the criteria by which a zoning action can be approved or denied are as follows:

1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties?

The request to approve the proposed site plan for the construction of 21 single-family homes within the PRD zoning district is suitable based on the existing uses of adjacent and nearby properties. Although denser than the surrounding residential land uses, this proposed single-family development is aligned with adjacent uses. The proposed development creates a transition from the single-family uses in the area.

2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property?

The land use itself would likely not adversely impact existing uses or usability of adjacent properties, beyond the additional trips created from new homes on a historically vacant property.

3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned?

The subject property has reasonable economic use under its current zoning of PRD. This site could be developed, as zoned, with any allowed uses under the PRD zoning district.

4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?

Staff does not foresee any excessive or burdensome use of existing streets, transportation, utilities, and schools based on the comments received by the different Gwinnett County Departments.

5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan?

The subject site is located within the Hopewell Woods Character Area, which continues to develop as a mixed-use area- with a diversity of housing types, institutional and office uses as well as limited commercial to support residents and area employees. It allows a variety of residential housing options, as part of a planned residential development. The proposed medium density development creates a transition from the single-family neighborhoods in the immediate area. The proposed single-family project is considered infill and will provide more housing options to the Norcross community, meeting the intent of the Comprehensive Plan.

6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

There are no known existing or changing conditions affecting the use of the property.

Conclusion

The submitted application meets the comprehensive plan expectations as noted by the previously mentioned appropriate land uses, policy goals, and vision in Sections A-C; the proposed development appears to meet the presented policy goals in Section C and it meets planned residential community definition.

Recommendation

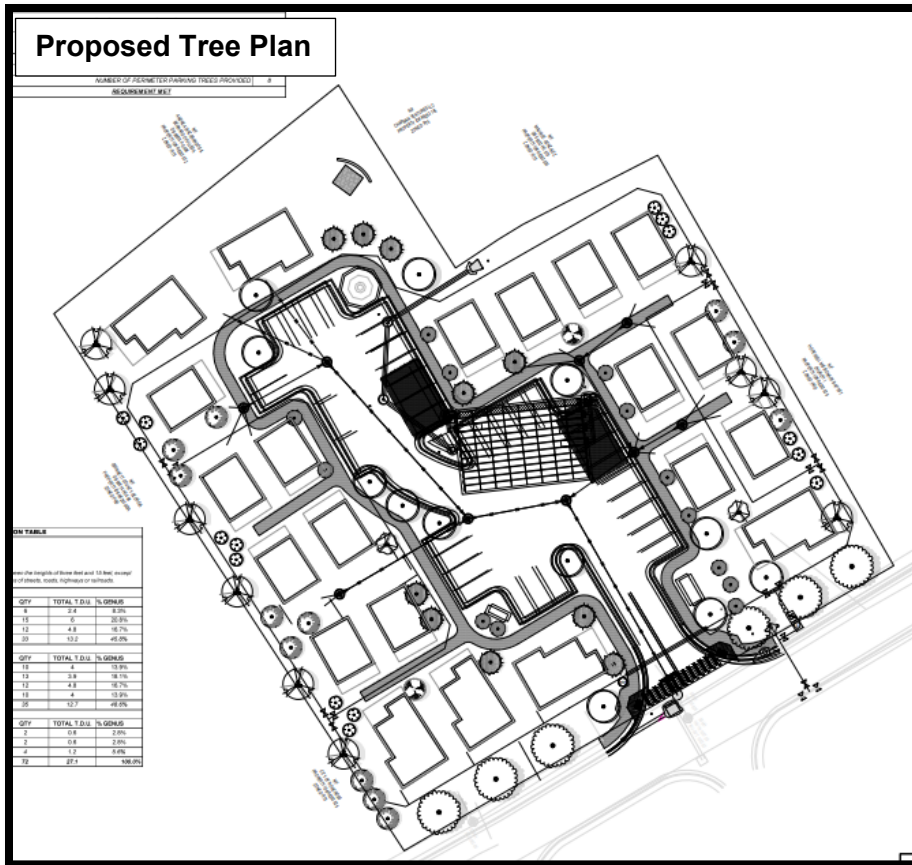
Staff recommends **approval** of the zoning component of RZ2025-003, the adoption of zoning standards under the existing Planned Residence District (PRD) for the property located at 636 West Peachtree Street, 646 West Peachtree Street, 656 West Peachtree Street, 658 West Peachtree Street, and parcel 6253 288

, with the following conditions:

1. The PRD zoning designation shall be restricted to a single-family development up to a maximum of 21 units;
2. The property shall be developed in general conformance with the site plan dated receipt 05/16/2025;
3. To address the potential sidewalk and landscape strip requirement challenges , applicant to contribute a fee-in-lieu toward a sidewalk improvement fund;
4. All common areas, including but not limited to storm water systems, shall be maintained by the HOA;
5. It is acknowledged that the Gwinnett County Fire Marshal or another reviewing agency may require modifications to the site for oversized vehicles such as fire and garbage trucks and minor adjustments to the site concept plan shall be approved by the Community Development Director in response to Gwinnett County comments is allowed;
6. Subject to Gwinnett County Water and Sewer comments and recommendations;
7. Plant material use on site in landscape strips and buffers are subject to final approval of the City's Arborist;
8. Location of stormwater detention is subject to the approval of the City Engineer;
9. All utilities shall be buried;
10. The development shall comply with the Architectural Review Board's conditions of approval. Any changes to previously approved plans shall be subject to the formal advertising and review process of the Architectural Review Board.
11. The applicant is reminded that this approval assumes general conformance with the adopted City of Norcross Architectural and Site Design Standards and Unified Development Ordinance (UDO). The applicant and/or builder are responsible for conforming with any specific design standard or UDO code section not addressed in the staff report;

Tree Removal Plan

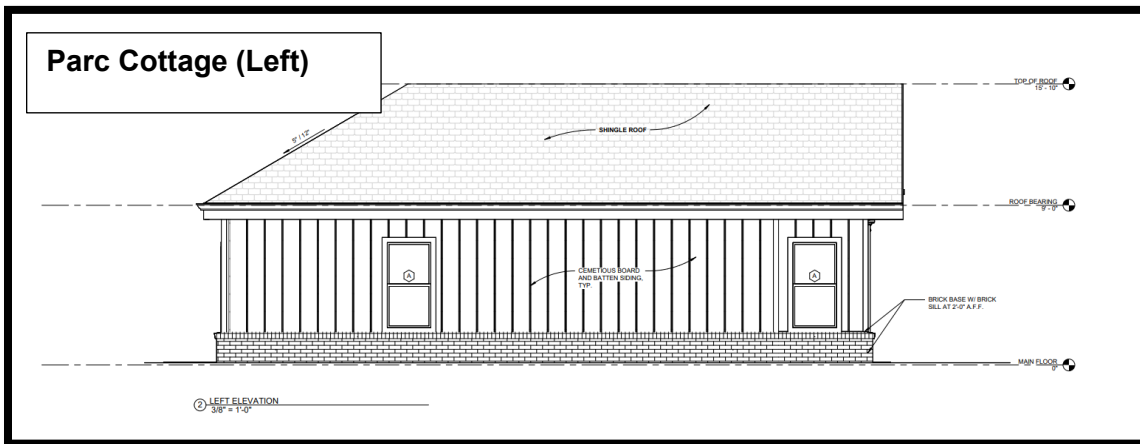
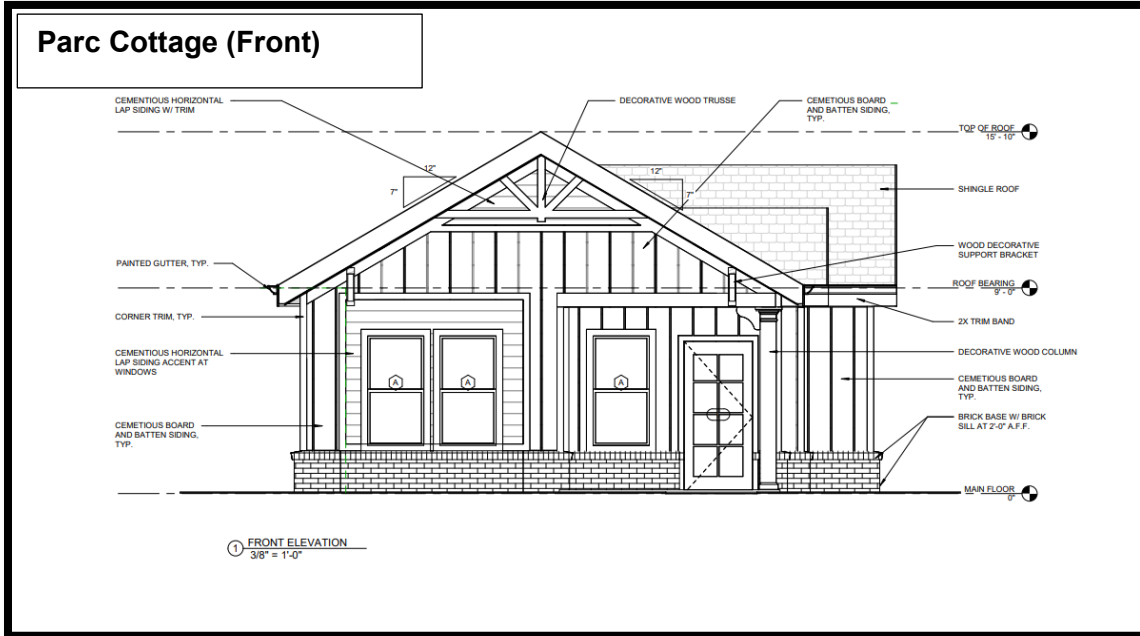


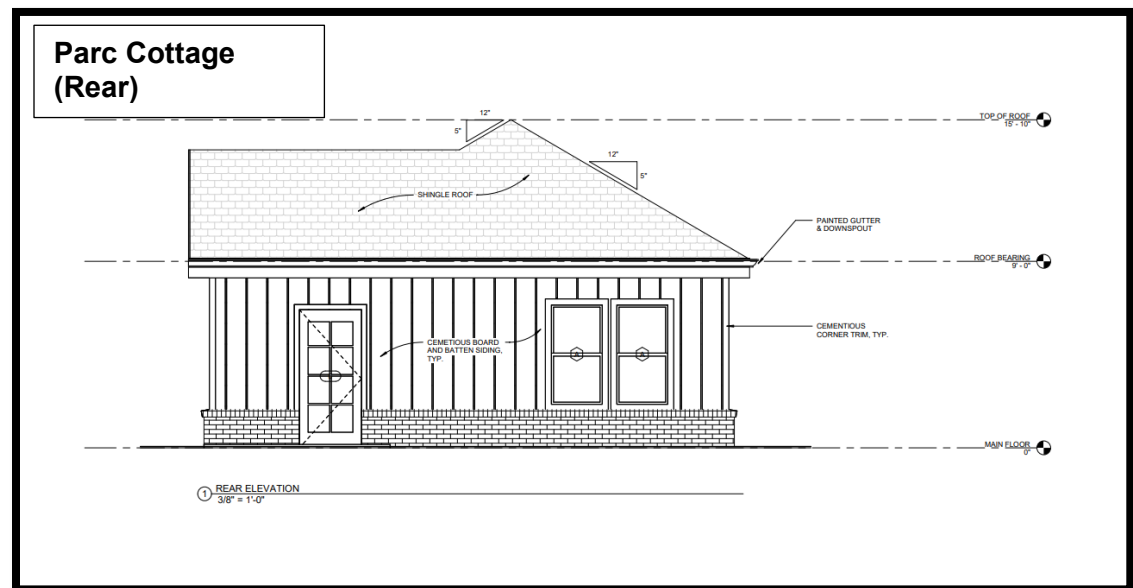
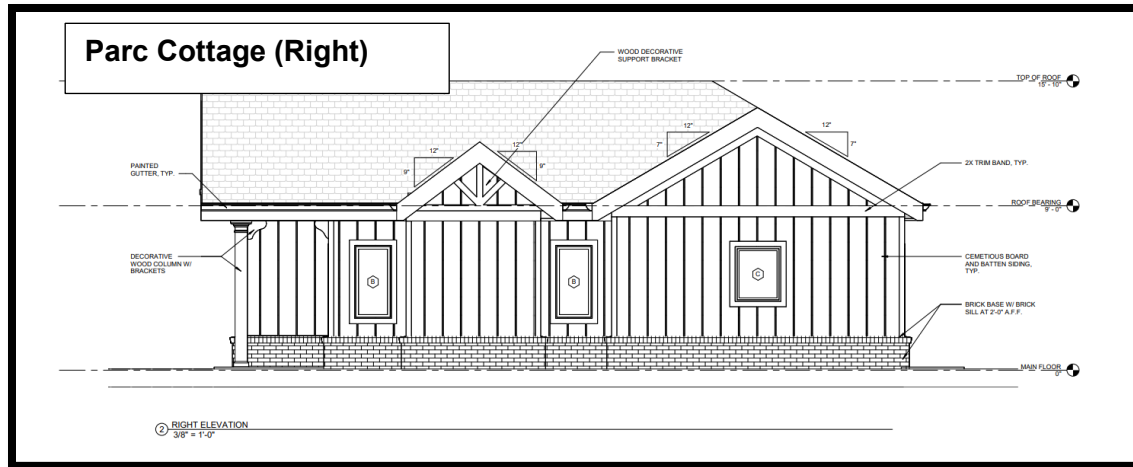


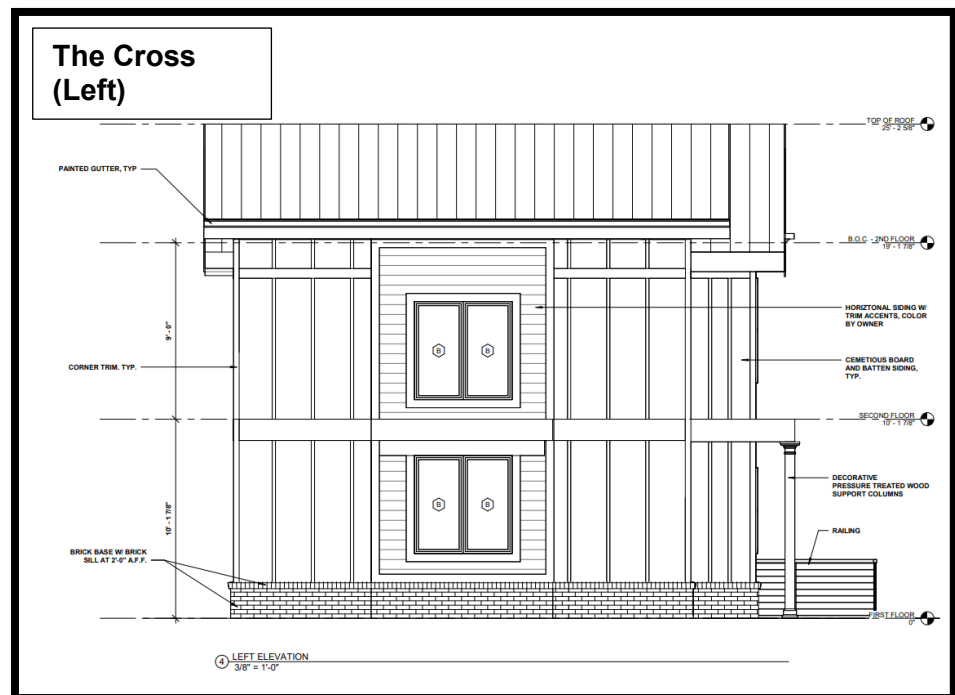
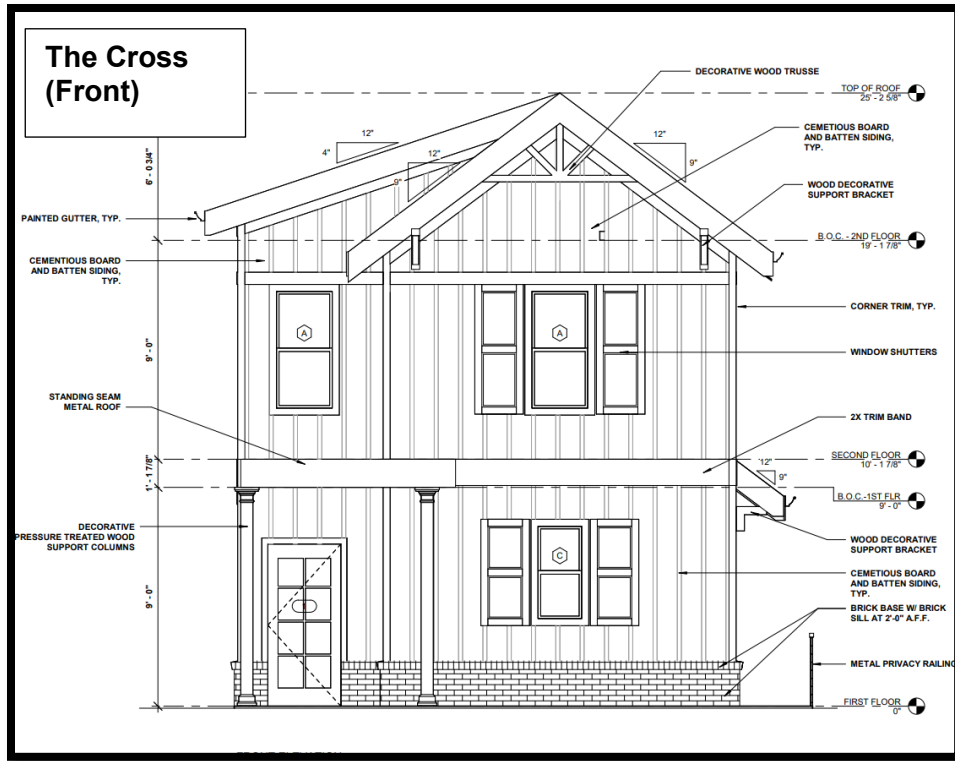
Plant Schedule					
SYMBOL	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
TREES					
	6	Cladrastis kentukea / American Yellowwood	B & B	3"Cal	
	15	Liquidambar styraciflua "Slender Silhouette" / Slender Silhouette Sweet Gum	B & B	3"Cal	
	12	Liriodendron tulipifera "Arnold" / Arnold Tulip Poplar	B & B	3"Cal	
EVERGREEN					
	10	Ilex x attenuata "Fosteri" / Foster's Holly	B & B	3"Cal	8'-10' HT
	13	Juniperus virginiana "Brodie" / Brodie Eastern Redcedar	15 gal	2"Cal	6'-8' HT.
	12	Magnolia grandiflora "Little Gem" / Little Gem Dwarf Southern Magnolia	B & B	3"Cal	10' HT. MIN.
	10	Magnolia virginiana / Sweetbay Magnolia	B & B	3"Cal	10' HT. MIN.
UNDERSTORY					
	2	Amelanchier arborea / Downy Serviceberry	15 gal	2"Cal	6'-7' HT. MIN.
	2	Chionanthus virginicus / White Fringetree	15 gal	2"Cal	
SYMBOL	QTY	BOTANICAL / COMMON NAME	CONT	SIZE	
SHRUBS					
	6	Buddleja x "Miss Molly" / Miss Molly Butterfly Bush	3 gal		
	41	Distylium x "BLDY01" / Jewel Box™ Distylium	3 gal		
	17	Hydrangea arborescens "Annabelle" / Annabelle Hydrangea	5 gal		
	11	Hydrangea macrophylla "Bailmer" / Endless Summer® The Original Hydrangea	5 gal		
	28	Hydrangea quercifolia "Ruby Slippers" / Ruby Slippers Oakleaf Hydrangea	3 gal		
	9	Ilex glabra "Shamrock" / Shamrock Inkberry Holly	3 gal		
	42	Ilex vomitoria "Schillings Dwarf" / Schillings Dwarf Yaupon Holly	3 gal		
	58	Muhlenbergia capillaris / Pink Muhly Grass	1 gal		
	75	Rhododendron x "Robleig" / Autumn Angel® Encore® Azalea	3 gal		

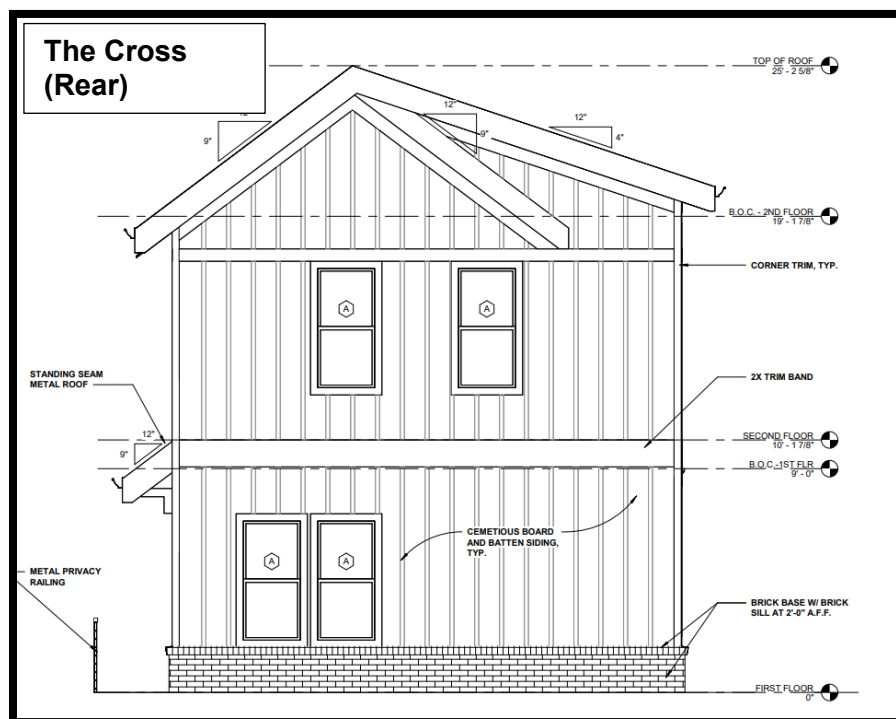
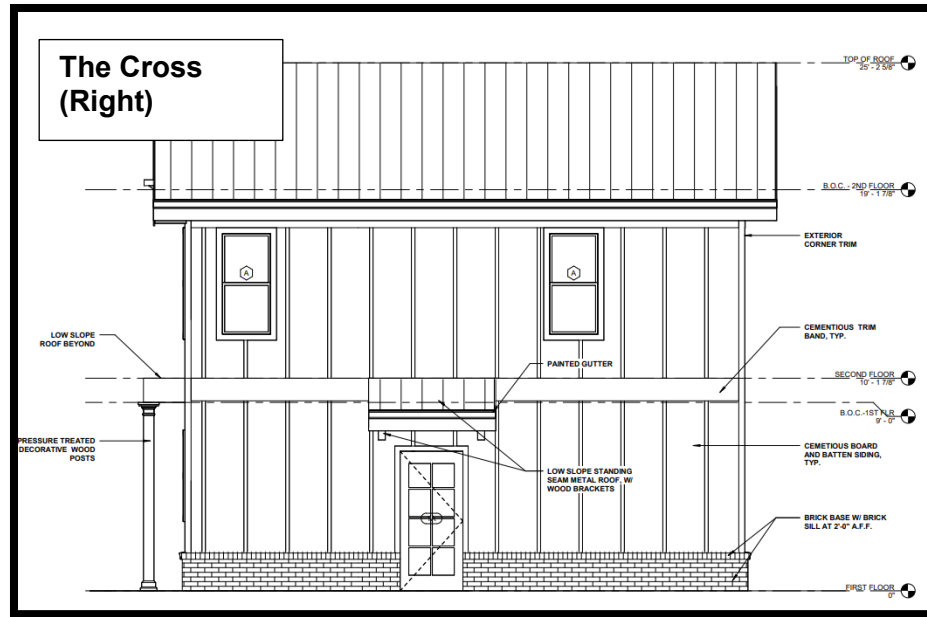
Elevations

The following pages include front, right, left, and rear facades for each proposed home, as well as the proposed finishes.











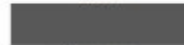
Exterior



Paint Colors



Light French Gray
(Base)



Peppercorn
(Trim)



Alabaster
(Base)



Peppercorn
(Trim)

Siding Colors



Vintagewood Black



Vintagewood Poplar



Vintagewood Cedar



Vintagewood Bark





* Due to ongoing scam/fraudulent activity aimed at applicants in the metro area, applicant contact information is redacted for agenda publication *



REZONING APPLICATION

PROPERTY OWNER'S INFORMATION

Owner's Name:

Techie NPC Ltd. Liability Co

Owner's Address:

730 Peachtree St

City: Atlanta

State: GA

Zip Code: 30308

Phone: [REDACTED]

Cell Phone: [REDACTED]

Email: [REDACTED]

APPLICANT'S CONTACT INFORMATION

Applicant's Name:

Booker T Washington

Applicant's Address:

730 Peachtree St.

Suite: 530

City: Atlanta

State: Ga

Zip Code:

30308

Phone: [REDACTED]

Cell Phone: [REDACTED]

Email: [REDACTED]

PROPERTY LOCATION

Tax Parcel Number(s): 6253- 028 027 056 262 288

Size in acres: 1.68

Address(es): 646 W Peachtree St. 636 W. Peachtree 656 W. Peachtree 658 W. Peachtree

Number of existing structures: 0

Number of parking spaces: 40

PROPOSED USE

Current Zoning: PRD

Requested Zoning: PRD

Date of Pre-Application Mtg: April

Is the request in conformity with the Current Land Use Plan? ☒ Yes ☐ No

Comp Plan Designation: N/A If No, Comp Plan Amendment is required

Is this site located in the National/Local Historic District? ☐ Yes ☒ No

If yes, what are the plans for the historic resources, if any, onsite

Proposed Use Details:

The development is a proposed 21 Cottage Home Community pursuant to city sponsored RFP for

ITEMS THAT MUST ACCOMPANY APPLICATION

- A. **Owner's Signature or Affidavit** - If the owner and applicant are not the same, the owner must sign the application or complete the attached affidavit.
- B. **Plat/Survey** - Submit one (1) full size, one (1) 11 x 17 and one (1) digital copy of a plat in JPG or PDF format, drawn by an engineer or land surveyor, describing in detail the tract, parcel or lot of land proposed to be rezoned. The plat must include the following information:
 - 1. **Boundary Survey** - A boundary survey and plot plan, drawn to scale, prepared by a registered surveyor, architect or engineer showing the seal of such surveyor, architect, or engineer.
 - 2. This survey shall be a plat of the land in question, or a description by metes and bounds, bearings and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plat is recorded in the land records of the City of Norcross, then, the lot, block, and subdivision designations with appropriate plat reference.
 - 3. A description of existing land uses on adjacent and surrounding property.
- C. **Concept Plan** - Submit one (1) full size copy, one (1) 11x17 copy and one (1) digital copy in JPG or PDF format of a concept plan, including but not limited to all items listed on the attached checklist for such plan.
- D. **Impact Analysis** -
 - 1. If the zoning change has been initiated by an owner or their representative, the application must be accompanied by a written, documented analysis of the proposed zoning change with regard to each of the standards governing consideration attached to this application.
 - 2. A traffic study, a hydrology study, market study and other studies of the impact of the proposed development prepared by a duly licensed engineer or qualified professional may be required by the Community Development Department, Planning & Zoning Board or the Mayor & City Council as deemed necessary for adequate consideration and a fully-informed decision on the proposed request. The studies shall be prepared under the direction of the City at the applicant's expense.
- E. **Warranty Deed** - A copy of the recorded warranty deed to the property must accompany each application. The owner on the deed must be the same as the owner listed on the application.

REVISED FEBRUARY 2024

- F. **Proof of Taxes Paid** – Proof that all ad valorem taxes due on the property have been paid must accompany each application.
- G. **Certificate Concerning Campaign Contributions** – The applicant must complete the certificate concerning campaign contributions and submit with each application.
- H. **Fees** – See attached fee schedule. Fees are non-refundable.
- I. **Development of Regional Impact** – If your application meets the Atlanta Regional Commission's (ARC) alternative rules for a Development of Regional Impact, additional review will be required by ARC and the State. More information can be found here, <https://atlantaregional.org/community-development/comprehensive-planning/developments-of-regional-impact/>
- J. **Conditional Rezoning** – An applicant may apply for conditional zoning and so state on the application. The conditional zoning applications may be based on written conditions contained within the relevant section of the application only or it may be based on the narrative AND a site plan.
- K. Any other information required by the Community Development Department or any other City department which is deemed necessary or desirable in processing the application which is related to the present or proposed use of the property.

I have read and understand the attached application and zoning procedures. I also hereby authorize the Community Development Staff, Planning & Zoning Board and Mayor & Council to inspect the premises that are the subject of this application.

Signed by:
Booker Washington, Techin NPC Ltd
5004AB0C5E6549A

8/27/2025

Signature of Applicant

Date

CITY USE ONLY. DO NOT WRITE BELOW

Date received: _____ Application Number: _____ Fee Paid: _____

Notes: _____

DEADLINE AND HEARING SCHEDULE

See calendar on the Community Development website for pre-application conference deadlines, application submission deadlines and scheduled meeting dates.

(THE APPLICANT OR APPLICANT'S AGENT MUST ATTEND ALL HEARINGS REGARDING THE APPLICATION)

Concept Plan Checklist

1. An application shall be accompanied by a concept plan if any new construction or alteration of the site is proposed.
2. A concept plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development.
3. The concept plan shall be drawn on a boundary survey of the property. The boundary survey shall have been prepared by a Georgia registered land surveyor and meet the requirements of the State of Georgia for such a map or plat under O.C.G.A. 15-6-67(b).

The concept plan shall show the following:

1. Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries if they cross the property.
2. Man-made features within and adjacent to the property, including existing and future right-of way of streets, pavement width and street names; political boundary lines; and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.
3. Natural features, such as the 100-year flood plain, and protected wetlands and stream buffers required under the Buffers, Landscaping and Tree Conservation Article of this Ordinance.
4. Proposed use of the property.

The proposed project layout including:

1. For residential subdivisions, and office or industrial parks, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.
2. For multi-family and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, zoning buffers, stormwater detention facilities, and driveways, entrances and exits.
3. Name and address of the property owner.
4. Name, address, and telephone number of the applicant (if different than the owner).
5. Date of concept plan drawing, and revision dates, as appropriate.
6. Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).
7. Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location concept.
8. A statement as to the source of domestic water supply.
9. A statement as to the provision for sanitary sewage disposal.
10. The approximate location of proposed storm water detention facilities.
11. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.



Owner's Affidavit

Community Development Department Phone: 678-421-2027 65
Lawrenceville Street Norcross, GA 30071

Section I. Land Ownership

I, Techie NPC Ltd Co hereby attest to ownership of the property located at _____, Parcel ID# _____ for which this Application is submitted.

The Ownership, as recorded on the deed, is in the name of Techie NPC Ltd. Co

Parcel # R6253028, R6253027 R6253026 R6253262-288

Section II. Type of Ownership

☐ Individual ☒ Corporation/LLC ☐ Partnership ☐ Government ☐ Homeowner

Corporation/LLC/Partnership Name:

Techie NPC Ltd.

Secretary of State Registration Number:

25015752

Registered Agent Name:

Booker Washington

Provide Names of all Officers/Members/General Partners (if applicable):

Booker T. Washington, Managing Member

Registered Agent Address:

Registered Agent Phone #:

COMPLETE BY OWNER

As the owner of the above designated property for which this affidavit is submitted, I wish to allow Techie NPC Ltd. (applicant's name) to apply for a zoning application for the address mentioned in Section I of this form.

I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief.

NOTARY

Owner states under oath that he/she is the owner of the property described under Section I, which is made part of this Application.

Name: Booker Washington

Address: _____

City, State, Zip Code: _____

Email address: _____

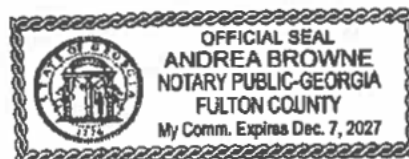
Phoner Number: _____

Owner's signature: _____

Sworn and subscribed before me this 7 day of October, 2025

Notary Public: A B

Seal:

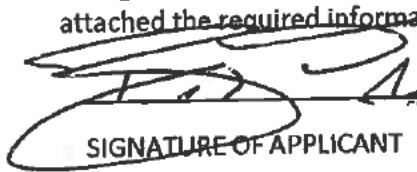


Commission expires:

December 7, 2027

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

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

 10/5/25 Booker Washington CBO, Techie Honor
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 Eva Cross, UP Techie Honor
SIGNATURE OF APPLICANT'S DATE TYPE OR PRINT NAME AND TITLE
ATTORNEY OR REPRESENTATIVE

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a City of Norcross Mayor/Council Member or a Member of the Planning and Zoning Board

NO (YES or NO)
Booker Washington Techie Honor
YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250.00 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN THE LAST TWO YEARS)

Attach additional sheets if necessary to disclose or describe all contributions.



Mayor: Craig Newton • Mayor Pro Tem: Marshall Cheek • Councilmember: Andrew Hixson • Councilmember: Josh Bare
Councilmember: Matt Myers • Councilmember: Bruce Gaynor • City Manager: Eric Johnson • City Clerk: Monique Phillip

AGENDA REPORT

To: Mayor and Council

From: Stephanie Newton – Director of Cultural Arts & Tourism/Downtown Manager

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No. : 2025-276

Title: Request for Noise Ordinance Waiver for Norcross Porchfest

CC: Eric Johnson, City Manager

Recommendation

Approve a temporary waiver of the Norcross City Noise Ordinance to permit amplified music at designated porches from 11AM to 7PM within the approved footprint on Saturday, May 2, 2026.

Background

A group of community members, led by Kristen Corley in collaboration with Young Norcross and other residents, is organizing a Porchfest event scheduled for May 2, 2026.

Porchfest is a grassroots, community-based music festival where residents transform their front porches and yards into temporary stages for local musicians. Attendees stroll from house to house to enjoy a variety of informal, family-friendly performances, creating a walkable, intimate event that celebrates neighborhood connections and strengthens community spirit.

Porchfests have been successfully hosted in other Georgia communities such as Virginia-Highland, Oakhurst (Decatur), Athens, Senoia, Brunswick, and Suwanee, each contributing to a vibrant sense of local pride and engagement. The City of Norcross, with its charming historic neighborhoods and strong sense of community, is an ideal setting for such an event.

Kristen Corley and the Porchfest Planning Team are making strong progress in organizing the event, which is anticipated to become a beloved annual Norcross tradition. Members of City Staff are working with the organizing committee to ensure all operational and safety measures are in place, including coordination with Police, Public Works, and Sanitation departments, as well as compliance with relevant City ordinances and policies.

After review and consultation with the Chief of Police, Assistant City Manager, and the Director of Cultural Arts & Tourism/Downtown Manager, it was determined that the event complies with all City requirements except for the residential noise restrictions outlined in Article II, Section 26-20 of the City Code.

Accordingly, this request is presented to Mayor and Council for consideration of a temporary noise ordinance waiver to allow live music performances during the Porchfest event. Should Council approve the waiver, the next step will be for the Porchfest Planning Team to notify all residences within 300 feet of the event footprint, in accordance with the City's notification requirements.

Economic Impact

Projected attendance: 1,500 to 2,500 people estimated

Average spend per attendee: \$20-\$25 downtown (food, beverage, retail)

Direct revenue: About \$30,000 local business spend

Additional lift from regional visitors, first-time exposure, and media placement

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

1. Continues to define Norcross' sense of place
2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment
3. Maintains a Vibrant Economy and Continue to Facilitate Job Growth

Attachments

- Porchfest Overview
- Georgia Porchfests – Economic and Attendance Overview
- Norcross Porchfest Proposed Boundaries

NORCROSS PORCHFEST

Prepared for Norcross Council Policy Work Session: Oct. 20, 2025

NORCROSS PORCHFEST 2026

Proposed date: Saturday, May 2, 2026

Music window: 12PM to 7PM (sound checks 11AM to noon)

Footprint: Historic Norcross core within a half mile of Thrasher Park, clustered porches to reduce sound bleed and travel

Scale: Up to 15 host porches, 20 to 30 performers

Audience: 1,500 to 2,500 attendees with peak density mid afternoon

REQUEST

- Temporary waiver of the Norcross City noise ordinance to permit amplified music at designated porches from 11AM to 7PM. within the approved footprint
- City partnership on policing, public works, sanitation, and traffic plans
- Fallback date (weather cancellation) of Sunday, May 3, 2026

BENEFITS

Economic impact

- Projected attendance: 1,500 to 2,500 people estimated
- Average spend per attendee: \$20-\$25 downtown (food, beverage, retail)
- Direct revenue: About \$30,000 local business spend
- Additional lift from regional visitors, first-time exposure, and media placement

Placemaking and Community value

- Highlight walkability: A clear porch-to-park route links Sunset Drive to beyond West Peachtree, encouraging people to explore Historic Downtown on foot.
- Create shared street life: Porches and front yards open up, giving neighbors natural points to pause and connect as they move through town.
- Showcase local character: Music framed by historic homes and trees draws attention to the unique look and feel of Norcross.
- Unify key areas: Continuous foot traffic ties homes, parks, and businesses together, revealing the town as one connected place.
- Foster community ownership: Residents participate as hosts and helpers, strengthening pride and shared responsibility for public spaces.

PLANNING COMPLETED

- Core organizing team formed formed with leads for Music/Artists, Logistics, Sponsorships
- Volunteer kickoff hosted in August at Cultivation Brewing (25+ attendees)
- Policies drafted for hosts, artists, sound, safety, and weather
- Draft footprint, porch clusters, schedule templates, and load-in/out guides
- Initial alignment with City and pending Police alignment
- Sponsorship prospectus drafted; digital forms live for hosts, artists, and volunteers
- Sponsors steadily flowing, primarily resident sponsors

Georgia Porchfests - Economic and Attendance Overview

Virginia-Highland Porchfest (Atlanta, GA)

Attendance: ~20,000 in 2022; up to 40,000 expected in 2025

Atlanta News First, "Rain or shine, Virginia Highland Porchfest kicks off today," May 17, 2025.
atlantanewsfirst.com/2025/05/17/rain-or-shine-virginia-highland-porchfest-kicks-off-today/

Scale: 100+ bands, 50+ porches, 20–27 food trucks, 50+ vendors (2025)

- Virginia-Highland District Association, Porchfest event page. virginiahighlanddistrict.com/porchfest

Economic impact: \$739,000 in local economic activity (2024)

- Rough Draft Atlanta, "Virginia-Highland Porchfest returns May 17 - More Than A Music Festival," May 16, 2025. roughdraftatlanta.com/2025/05/16/porchfest-virginia-highland-neighborhood-growth/

Reinvestment: \$90,000 raised for neighborhood beautification, safety, and marketing (2024)

- Rough Draft Atlanta, "Virginia-Highland Porchfest returns May 17 - More Than A Music Festival," May 16, 2025. roughdraftatlanta.com/2025/05/16/porchfest-virginia-highland-neighborhood-growth/

Oakhurst Porchfest (Decatur, GA)

Attendance: 5,000–10,000 estimated (2024)

- Atlanta Journal-Constitution, "At Oakhurst Porchfest, 200-plus bands get in tune with this metro Atlanta community's spirit," Oct. 16, 2024.

ajc.com/things-to-do/at-porchfest-200-plus-bands-get-in-tune-with-this-metro-atlanta-communitys-spirit/R5JIJSZUUFEPJAI7GS3A7OAYZA/

Scale: ~225 performances across porches (2024)

- Atlanta Journal-Constitution, "At Oakhurst Porchfest, 200-plus bands get in tune..." Oct. 16, 2024.

ajc.com/things-to-do/at-porchfest-200-plus-bands-get-in-tune-with-this-metro-atlanta-communitys-spirit/R5JIJSZUUFEPJAI7GS3A7OAYZA/

Volunteers: nearly 1,000 people supporting event (2021 fundraiser estimate)

- GoFundMe, "The Return of Oakhurst Porchfest." gofundme.com/f/the-return-of-oakhurst-porchfest

Historic Athens Porchfest (Athens, GA)

Attendance: 13,000+ in 2022, ~25,000 in 2024

- Grady Newsource, "Porchfest Celebrates Live Music, Historic Neighborhoods in Record Numbers," Oct. 7, 2022. gradynewsource.uga.edu/porchfest-celebrates-live-music-historic-neighborhoods-in-record-numbers/ / Grady Newsource

Athens Banner-Herald / OnlineAthens photo gallery, "Historic Athens Porchfest 2024," Oct. 21, 2024.

onlineathens.com/picture-gallery/entertainment/music/2024/10/21/historic-athens-porchfest-2024/75772305007/

onlineathens.com

Scale: 209 concerts on 209 porches across seven historic neighborhoods in 2024

- Historic Athens press release, "Historic Athens Porchfest Returns with Over 200 Performances, Trolleys, & More," Oct. 1, 2024.

historicathens.com/campaigns/view-email/JEpjtelWfbF7jK9vcywTyV8k4iyqiPphI05uh-8MthFt82neQ95X5V1DLu3MKNv0wfkR9nzN0fOLi2vfDztizeaidXm3K7XCKa11jEObsylmF1BsHn06Pz3xPhDJOEdls72KYccRV1NVKPljHRLVj8PhCYEHmKXvqwnSGA==

Historic Athens

WUGA (NPR - University of Georgia), "Historic Athens' Porchfest 2024," Oct. 18, 2024.

wuga.org/local-news/2024-10-18/historic-athens-porchfest-2024

WUGA

2025 program: seven historic neighborhoods with 200+ local performers

- Historic Athens, "Historic Athens Porchfest 2025, Presented by Cafe Racer." historicathens.com/porchfest

Brunswick PorchFest (Brunswick, GA)

Attendance: ~10,000 in 2024 (year four)

- Brunswick PorchFest, "About." brunswickporchfest.com/about

Scale: 74 performers on 62 porches (2024)

- Brunswick PorchFest, "About." brunswickporchfest.com/about

Proceeds: \$3,000 donated to local nonprofits in 2024

- Brunswick PorchFest, "About." brunswickporchfest.com/about

Senoia PorchFest (Senoia, GA)

Attendance: 2,000+ in 2024 (first year)

- Enjoy Senoia, PorchFest 2024 event page. enjoysenoia.net/porchfest-2024

Attendance: 5,000+ in 2025 (second year)

- Enjoy Senoia, PorchFest 2025 event page. enjoysenoia.net/porchfest-2025

Scale: 27 stages in 2025

- Explore Newnan-Coweta, "Senoia PorchFest 2025."

explorenewnancoweta.com/things-to-do/events/senoia-porchfest-2025-2/

Suwanee Porch Jam (Suwanee, GA)

City-sponsored event, free admission, with free shuttles

- City of Suwanee, official event page. suwanee.com/explore-suwanee/events/summer-porch-jam

Launch year: 2017, part of global Make Music Day

- City of Suwanee, event history reference. suwanee.com/explore-suwanee/events/summer-porch-jam

Scale and Participation

Venues: 14 porches/locations in 2025 (including Mayor's porch and City Hall lawn)

- City of Suwanee, News Release, "Suwanee Summer Porch Jam Brings the Heat and the Beats," June 3, 2025. suwanee.com/Home/Components/News/News/1194/159

Estimated attendance: ~3,000 (vendor planning estimate, 2023)

- Eventeny, Suwanee Porch Jam vendor application (2023). eventeny.com/events/vendor/?id=8574

Vendors: multiple food trucks and local vendors annually

- City of Suwanee, official event page. suwanee.com/explore-suwanee/events/summer-porch-jam

Operations

Event hours: 6:00–10:00 PM (2025)

- *City of Suwanee, official event page. suwanee.com/explore-suwanee/events/summer-porch-jam*

Shuttle service: 5:30–10:30 PM (2025)

- *City of Suwanee, official event page. suwanee.com/explore-suwanee/events/summer-porch-jam*

Performers: solos, duos, small bands, 15–30 minute sets

- *Eventeny, Suwanee Porch Jam performer application.*

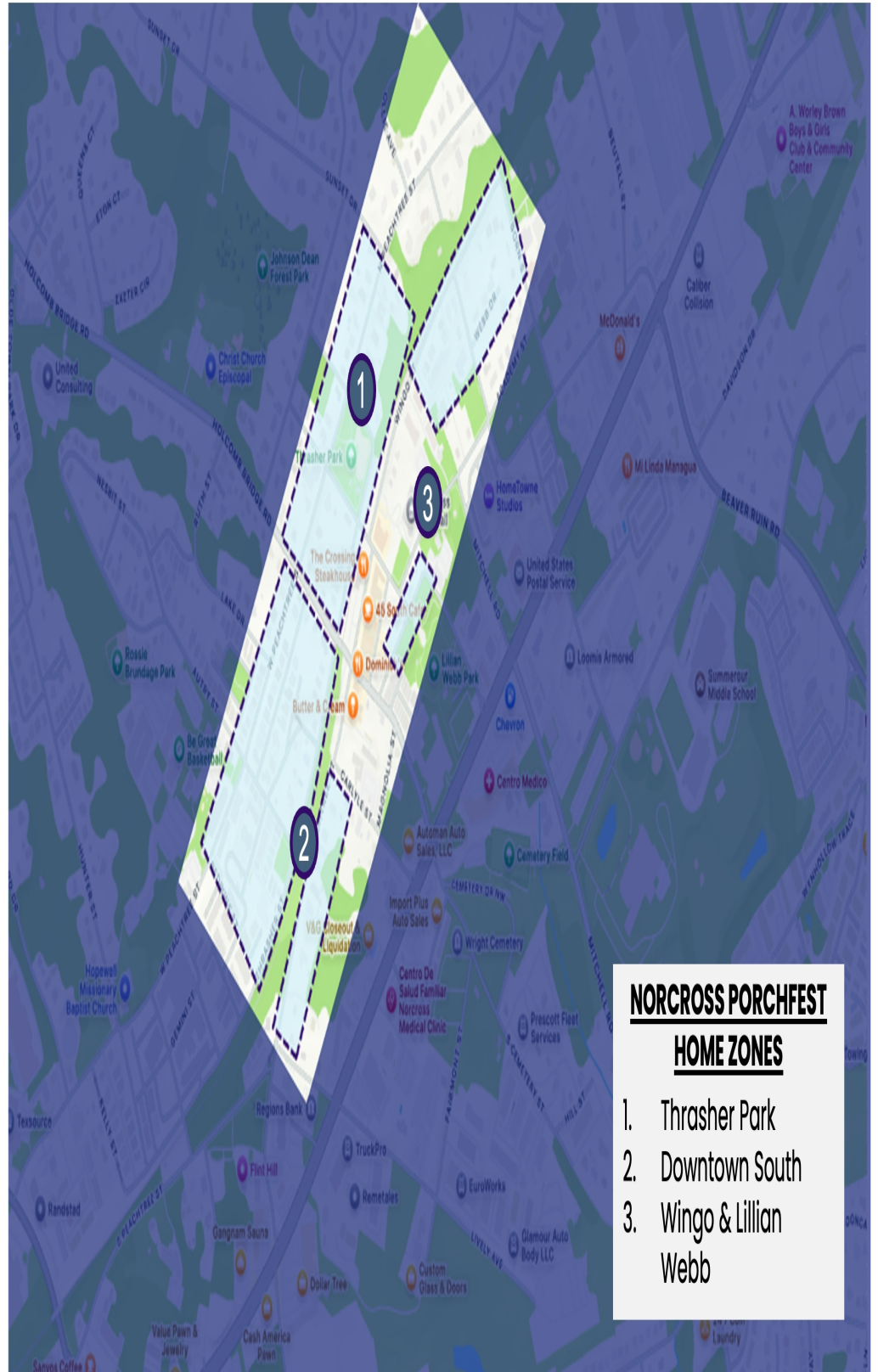
eventeny.com/events/applications/application/?id=4876

Recognition

Award: “Best Event Under \$20,000 - Silver” by Southeast Festivals & Events Association (2024)

- *City of Suwanee, “Awards & Designations.” suwanee.com/government/awards-designations*

Norcross Porchfest Proposed Festival Boundaries



**WAIVER OF NOISE ORDINANCE FOR THE
NORCROSS PORCHFEST TO BE HELD ON OR ABOUT MAY 2, 2026**

The Mayor and Council of the City of Norcross, Georgia, has considered and hereby adopts the following as a Resolution and Waiver:

WHEREAS, The City of Norcross Code of Ordinance provides for restrictions of noise emanating from residential properties during certain hours and as audible from certain distances. See, Code of Ordinances § 26-20(a) & (b);

WHEREAS, a group of community members and Norcross residents desires to hold a community event to be called the Norcross Porchfest or to be known by a similar name (the “Event”);

WHEREAS, the Event will be held across the City at various homes and will feature outdoor performances that may create audible noises that would ordinarily exceed noise the thresholds set by ordinance;

WHEREAS, the Event and its organizers will ensure that any such noise will occur only between 11:00 AM and 7:00 PM on or about May 2, 2026;

WHEREAS, the City Council believes that the Event presents the opportunity to highlight Norcross as innovative and creative community, increase comradery and civility, and provide a greater sense of place such that a strict application of the Code of Ordinances’ restrictions on audible noise should be waived during the date of the Event; **ACCORDINGLY** and after due consideration at a meeting held by the City Council, it is hereby

RESOLVED that the preceding paragraphs are adopted by Council as a showing of necessity and good cause for the waiver set forth herein;

RESOLVED that the audible distance restrictions within Section 26-20 of the Code of Ordinances shall be suspended and waived for homes participating in the Event during the hours between 11:00 AM and 7:00 PM and that, thereafter, the ordinance shall remain in effect as drafted.

APPROVED AND ADOPTED THE _____ day of November, 2025.

Craig Newton, Mayor

Attest: Monique Philip, City Clerk



Mayor: Craig Newton • **Mayor Pro Tem:** Marshall Cheek • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Bruce Gaynor • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

AGENDA REPORT

To: Mayor and Council

From: Jon Robinson, Finance Director

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No.: 2025-279

Title: Authorization for FYE2025 budget amendments

CC: Eric Johnson, City Manager

Recommendation Authorization for Finance Director to complete all necessary budget amendments set forth in agenda item to maintain FY25 adopted appropriation.

Background On August 5, 2025, the FY2025 budget was adopted. Georgia Law, O.C.G.A 36-81-3(b), requires each unit of local government to operate under an annual balance budget adopted by ordinance or resolution. City of Norcross code Section 16-29 provides for revisions to the adopted budget during the year only by formal action of the City Council in a regular meeting.

Financial Impact None

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

6. Furthers the City's Tradition of Strong Leadership and High Level of Quality Services

Attachments

Budget Amendment Item 2025-279

Finance Department Budget Adjustment Entry

Purpose:	Item 2025-279: Budget Amendments for FY25 year end appropriations
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Effective Date:	8/31/2025
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Description	Account Number	Increase	Decrease
General Fund, Credit Card Charges	100-5.1510.523915	6,658.63	
General Fund, City Wide Printing	100-5.1535.531505	6,771.25	
General Fund, Small Equipment	100-5.2650.531600	166.78	
General Fund Contingencies	100-5.1310.579000		13,596.66
General Fund, Contract Labor	100-5.6200.523850	85,146.23	
General Fund, Contract Labor	100-5.4100.523850		85,146.23
	Totals	98,743	98,743



Mayor: Craig Newton • **Mayor Pro Tem:** Marshall Cheek • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Bruce Gaynor • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

AGENDA REPORT

To: Mayor and Council

From: Jon Robinson, Finance Director

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No.: 2025-278

Title: Accept and Appropriate Donation – NPAC White Squirrel Project

CC: Eric Johnson, City Manager

Recommendation To accept and appropriate a \$1,500.00 donation received from Norcross Gallery & Studios for the NPAC White Squirrel Project.

Background The White Squirrels of Norcross project is a public art initiative designed to enhance the City's sense of place and cultural identity. The City council approved the purchase of two (2) White Squirrel sculptures from Cherrylion Studios.

Financial Impact This donation of \$1,500.00 will offset a portion of the cost of the overall project. NPAC anticipates being able to finance the purchase of additional sculptures through fundraising efforts.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

1. Continues to define Norcross' sense of place

Attachments

Budget Amendment Item 2025-278

Finance Department Budget Adjustment Entry

Purpose:	Item 2025-278: Appropriates funding/donation from Norcross Gallery & Studios
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Effective Date:	10/20/2025
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Description	Account Number	Increase	Decrease
General Fund, Donations	100-371000	1,500	
General Fund, NPAC Professional Serv-Other	100-5.1519.521305	1,500	
Totals		3,000	0



Mayor: Craig Newton • Mayor Pro Tem: Marshall Cheek • Councilmember: Andrew Hixson • Councilmember: Josh Bare
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AGENDA REPORT

To: Mayor and Council

From: Camille Washington, Human Resources Director

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No.: 2025-280

Title: Employee Handbook Revision 2025

CC: Eric Johnson, City Manager

Recommendation:

Approve the revisions of the 2025 Employee Handbook to reflect changes to existing policies and ensure compliance with current employment laws and regulations.

Background:

As the City's workplace environment and organizational culture continue to evolve, it is essential that the Employee Handbook remain up to date and reflective of current policies and practices. During the most recent review process, certain sections were identified as crucial to daily operational needs.

The following policies addressed in this revision:

1. Emergency Closings

This policy provides clear guidelines for the city's operational process during inclement weather to ensure consistency across all departments.

2. Rehiring

This policy has been updated to reflect the correct terminology of credited service, consistent with our plan document, in place of bridged service, which is not recognized within our plan.

Financial Impact:

None

Consistent with the Comprehensive Plan?

Goal 6: Furthers the City's Tradition of Strong Leadership and High Level of Quality Services

Attachments:

Employee Handbook Revision

Emergency Closings (Current Policy) pg. 23

At times, emergencies such as severe weather, fires, power failures, or snow and ice can disrupt operations. In extreme cases, these circumstances may require the closing of one or more work facilities as determined by the City Manager. Employees should monitor the City website, call the City's emergency closing number (678-966-0159), and/or speak with their supervisors to determine if the City offices have been closed. Every effort will be made to publicize the closing on local television stations. When operations are officially closed due to emergency conditions, the time off from scheduled work may be taken as sick leave at the request of the employee. If sick leave is exhausted, other paid time off may be applied. If the facility is closed after employees are at work, the City will ensure each employee receives at least four (4) hours of standard pay for that day. If they work less than four (4) hours, standard pay will be granted for the full four (4) hours. Sick leave may be applied for the remainder of the scheduled shift. For example, if employees start at 8:00 am and are sent home at 10:00 am, they will be paid until noon and may then apply for sick leave for the time remaining until 5:00 pm.

If City operations open late due to inclement weather or other emergency management issues, employees will be required to use sick or annual leave to cover the missed time. Exempt employees are exempt from this policy.

Note: Public Safety and Public Works and Utility employees are normally expected to work even when the City offices are closed if so, directed by their supervisor in charge.

Emergency Closings (*Revised*)

At times, emergencies such as severe weather, fires, power failures, or snow and ice can disrupt operations. In extreme cases, [the City Manager is responsible for enacting emergency closures of the City Hall and other city facilities as necessary for inclement weather or safety concerns.](#) Employees must monitor the City website, call the City's emergency closing number (678-966-0159), and/or speak with their supervisors to determine if the City offices have been closed. Every effort will be made to publicize closure on local television stations [and for the supervisors to disseminate such information, however, the obligation to monitor for closures rests entirely with the employee.](#) When City operations are officially closed due to emergency conditions, [all non-essential employees scheduled to work during the period for which the city is officially closed will be paid up to eight \(8\) hours of regular time.](#)

[When the City operations open late due to inclement weather or other emergency management issues, employees will be paid for up to four \(4\) hours prior to the scheduled opening time to cover the missed hours. Exempt employees are exempt from this policy.](#)

If the City remains open during uncertain weather conditions and an employee chooses not to report to work due to personal safety concerns, the time missed will be deducted from their available accrued leave. If the employee has no remaining leave, the absence will be unpaid.

Note: *Employees in Public Safety, Public Works and Utilities are generally expected to report to work even when the City offices are closed, provided they are directed to do so by their department head or the City Manager.*

Rehiring (Current Policy) pg. 23

Employees who leave the City in good standing and are gone less than 6 months may return to the City at the same rate of pay as when they left. Service may also be bridged and considered continuous service at the discretion of the City Manager. Employees gone for more than one year and remain in the same field of work while gone, may return at the same rate of pay as when they left, however, their service will not be bridged.

Rehiring (Revised)

Employees who leave the City in good standing and are gone for less than six (6) months may return to the City at the same rate of pay as when they left, *provided they return to the same field of work and serve in the same role or a similar role*. Employees who have gone for more than one year and remain in the same field of work while gone may return at the same rate of pay as when they left *if applicable*. Service may *be considered as credited past service in accordance with our retirement plan document and approval of the City Manager*.

Note: *All rehires are subject to position availability and approval by the City Manager.*



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AGENDA REPORT

To: Mayor and Council

From: Camille Washington, Human Resources Director

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No.: 2025-288

Title: Retiree Medicare Health Plan Renewal Changes

CC: Eric Johnson, City Manager

Recommendation: Approve changing the retiree Medicare Supplement insurance plan through Hartford to a Humana Medicare Advantage Plan.

Background: Hartford's renewal included a non-negotiable rate increase of 17.07%, which would have resulted in a \$79.72 monthly premium increase per retiree and per retiree spouse. In response, The Baldwin Group, the City's broker, has identified a cost-effective alternative through a Medicare Advantage Program offered by Humana. This plan allows retirees to retain their existing Part D Prescription Drug Plan through Express Scripts, ensuring continuity of coverage and avoiding any disruption to current prescription benefits. The Humana plan allows access to both network and out-of-network providers, providing continued access to existing providers. Under this plan, the recommendation is that retirees and spouses will each see a \$10.00 monthly premium increase in 2026, compared to the planned \$25.00 monthly increase each for retirees and for spouses had we remained with Hartford – sharing in the savings from a conversion. Retirees were surveyed and while there was little response to the survey, cost was an identified concern. There are currently 31 retirees or spouses of retirees on the Medicare plan. Participation in the plan was eliminated for employees hired after March 2022.

Financial Impact: Total Annual Renewal Premium for Hartford \$196,794.00, which is an increase of \$28,699.20 from the current premium. Humana Medicare Advantage, including Express Scripts, Annual Renewal cost is \$175,950.00 – an increase of \$7,855, or 4.7%. Retirees and spouses would contribute an estimated \$3,720 of that cost.

Consistent with the Comprehensive Plan?

Goal 6: Furthers the City's Tradition of Strong Leadership and High Level of Quality Services

Attachments:

City of Norcross, Retiree Renewal Presentation
Hartford AGP-3761 GRIP Benefit Chart
2026 Humana LPPO for Standard Plan



2026 RENEWAL OVERVIEW

City of Norcross



BAY BRIDGE ADMINISTRATORS



Medicare Market Climate

CURRENT

MEDICARE

MARKET CLIMATE

The group Medicare landscape is evolving. Rising healthcare utilization, medical inflation, and ongoing changes in prescription drug costs are putting upward pressure on premiums. At the same time, retiree populations are living longer and requiring more comprehensive care, further driving demand and expenses.



WHAT THIS MEANS FOR YOUR RENEWAL

Carriers are adjusting pricing strategies and plan designs in response to these trends, leading to fewer standardized options and increased variability in costs. As a result, it's more important than ever to evaluate your renewal options strategically to ensure the right balance between cost control and retiree coverage.



Medicare Supplemental vs Medicare Advantage

MEDICARE OVERVIEW

A brief summary of the key components of Medicare, how it works, and how group Medicare plans integrate with federal coverage to support retiree healthcare needs.



ORIGINAL MEDICARE: PARTS A & B

Part A: Covers inpatient hospital stays, skilled nursing facility care, hospice care, and some home health services. It is usually free if they've worked and paid Medicare taxes for at least 10 years.

Part B: Covers outpatient care, including doctor visits, preventive services, diagnostic tests, and some home health services. There is a required premium for everyone.

GROUP MEDICARE: PHARMACY

Provides prescription drug coverage through private insurance plans approved by Medicare. It helps cover the cost of prescription medications, with plans varying in cost, coverage, and the drugs they include. Part D is offered as a standalone plan or as part of a Medicare Advantage plan.

GROUP MEDICARE ADVANTAGE

Sometimes referred to as Part C, these plans include coverage for Medicare Part A and Part B services, often with additional benefits like prescription drug coverage and fitness programs. These plans are the primary payer. Participants must be enrolled in Original Medicare to enroll and may be subject to network restrictions.

GROUP MEDICARE: MEDICAL

Helps cover out-of-pocket costs not paid by Original Medicare (Parts A and B), such as deductibles, coinsurance, and copayments. These plans work alongside Medicare, providing additional coverage to help reduce financial burdens for retirees. These plans pay secondary to Medicare and mirror traditional Medicare supplement plans.



Medicare Supplemental vs Medicare Advantage

Medicare Advantage Plans (Part C)

How it works:

With Medicare Advantage, you’re enrolled in a plan offered by a private insurance company rather than using Original Medicare. These plans typically operate like a PPO or HMO; with a network of providers, you must use for reduced costs. Once enrolled, the private plan takes over the administration of your Medicare benefits, meaning you use the plan instead of directly using Original Medicare.

Key Features:

Most plans include prescription drug coverage (Part D) and extra benefits not covered by Original Medicare, such as routine dental, vision, or hearing services. There is often a **yearly out-of-pocket limit**, which can provide financial protection from high costs (Original Medicare doesn't have this). Premiums vary, but many Medicare Advantage Plans have **low or \$0 premiums**, alongside the Part B premium you still pay. These plans often require you to stay within a network of providers depending on the plan's structure (HMO vs. PPO).

Key Differences		
Aspect	Medicare Supplement (Medigap)	Medicare Advantage
Purpose	Fills gaps in Original Medicare coverage	Provides Part A, Part B, and other benefits
Choice of Providers	No network restrictions (any provider that accepts Medicare)	Limited to plan's network (HMO, PPO, etc.)
Drug Coverage	Requires a separate Part D plan	Often includes prescription drug coverage
Cost Structure	Higher premiums, lower out-of-pocket costs	Lower premiums, but more out-of-pocket costs
Extras	No extra benefits beyond Original Medicare	May include dental, vision, hearing, and wellness



Humana Medicare Advantage Plan Design



Humana Medicare Group Plan – Premium Information

CITY OF NORCROSS - PPO

Date: 8/27/2025
Plan Names: Humana Medicare Group Plan
Rx Formulary: Passive PPO 079 251 with Standard Rx127
Group Plus Formulary - 26800

Plan Year	Final Billed Premium (Per Member Per Month)
1/1/2026 - 12/31/2026	\$475.19

Passive PPO 079 251 Medical and Rx Benefit Overview

(In-Network Benefits match Out-of-Network Benefits)	
Deductible	None
Inpatient Acute Hospital	\$100 Copayment per Admission
Skilled Nursing Facility	\$0 Copayment (Days 1-100)
Physician Office Visits	\$0 Copayment
Specialist Office Visits	\$5 Copayment
Outpatient Surgical	\$100 Copayment
Ambulance	\$0 Copayment
Emergency Room	\$100 Copayment
Medical Maximum Out of Pocket	\$1,000 Combined (Medicare Covered Services)
Prescription Drugs (Retail 30 day supply)	Rx127 \$10/\$20/\$40/\$80 from \$0 to Catastrophic

Alternate Humana Medicare Advantage Plan

CURRENT PLANS

The following are the current plan renewal rates for City of Norcross. This includes a Group Medical plan underwritten by The Hartford, and a Part D Prescription Drug plan through Express Scripts.



	2025 Rate PMPM	2026 Rate PMPM
The Hartford	AGP 3761: \$226.94	AGP 3761: \$292.75
Express Scripts	\$239.99	\$253.40
Total Cost PMPM	\$466.93	\$546.15



Alternate Humana Medicare Advantage Plan With Express Scripts

ALTERNATE HUMANA MA PLAN

This includes a Group Medicare Advantage medical plan through Humana, keeping the current Part D Prescription Drug plan through Express Scripts. This would be a savings of \$57.40 PMPM compared to keeping the same plans for 2026



	2025 Rate PMPM (Current Plan Total)	2026 Rate PMPM
Humana Medicare Advantage (Medical Only)	N/A	\$234.85
Express Scripts	N/A	\$253.90
Total Cost PMPM	\$466.93	\$488.75



Alternate Humana Medicare Advantage Plan With Humana Rx

ALTERNATE HUMANA MA PLAN

This includes a Group Medicare Advantage medical plan through Humana that includes the medical and prescriptions. This would be a savings of \$70.96 PMPM compared to keeping the same plans for 2026.



	2025 Rate PMPM (Current Plan Total)	2026 Rate PMPM
Humana Medicare Advantage (Medical and Prescriptions)	N/A	\$475.19
Total Cost PMPM	\$466.93	\$475.19



Medicare Alternate Plans Premium Overview

- Current Hartford Premium \$466.93
- Hartford Renewal Premium \$546.65,with an annual difference \$11,479.68 and the total renewal annual premium is \$196,794.00
- Humana Medicare Advantage with Humana Rx Premium \$475.19 with an annual difference of \$1,189.44 and the total new annual premium is \$171,068.40
- Humana Medicare Advantage with current Express Script Premium \$488.75 with an annual difference of \$3,142.08 and the total new annual premium is \$175,950.00

Plan Options	Rate	% Change	\$ Change	Monthly \$ Change with 30 enrolled	Annual \$ Change with 30 enrolled	Total Cost with 30 Enrolled
Supplemental - Hartford Current	\$466.93					
Supplemental - Renewal	\$546.65	17.07%	\$79.72	\$956.64	\$11,479.68	\$196,794.00
MA with new RX	\$475.19	1.77%	\$8.26	\$99.12	\$1,189.44	\$171,068.40
MA with current RX	\$488.75	4.67%	\$21.82	\$261.84	\$3,142.08	\$175,950.00



Current Medicare Premium and Deductions

Retirees				
Medical - Retirees <65		Total	City	Retiree
Coverage Type	# Enrolled			
Employee Only	3	\$957.17	\$757.17	\$200.00
Employee & Spouse	4	\$2,009.88	\$1,759.88	\$250.00
Employee & Child(ren)	0	\$1,818.81	\$1,568.81	\$250.00
Family	2	\$2,871.53	\$2,596.53	\$275.00
		\$16,654.09	\$14,504.09	\$2,150.00
Medical - 65+ Medicare Supplement		Total	City	Retiree
Coverage Type	# Enrolled			
Employee	20	\$466.93	\$366.93	\$100.00
Spouse	11	\$466.93	\$341.93	\$125.00
		\$14,474.83	\$11,099.83	\$3,375.00
Dental		Total	City	Retiree
Coverage Type	# Enrolled			
Employee Only	13	\$46.96	\$26.96	\$20.00
Employee & Spouse	12	\$118.75	\$68.75	\$50.00
Employee & Child(ren)	0	\$135.38	\$85.38	\$50.00
Family	3	\$179.24	\$129.24	\$50.00
		\$2,573.20	\$1,563.20	\$1,010.00



HUMANA MEDICARE

ADVANTAGE

OVERVIEW

A brief summary of the key components of the Humana Medicare Advantage Plan. The passive network, value added services, and customer service team are available on either plan option through Humana. Pharmacy benefits are only available through the Medicare Advantage Prescription Drug Plan.



Passive Network

This plan provides the same in and out-of-network benefits nationwide, as long as the provider accepts Medicare and bills Humana

Value Added Services

The plan includes SilverSneakers, personalized health coaching, care management for chronic conditions, and post-discharge support to help members recover and stay healthy.

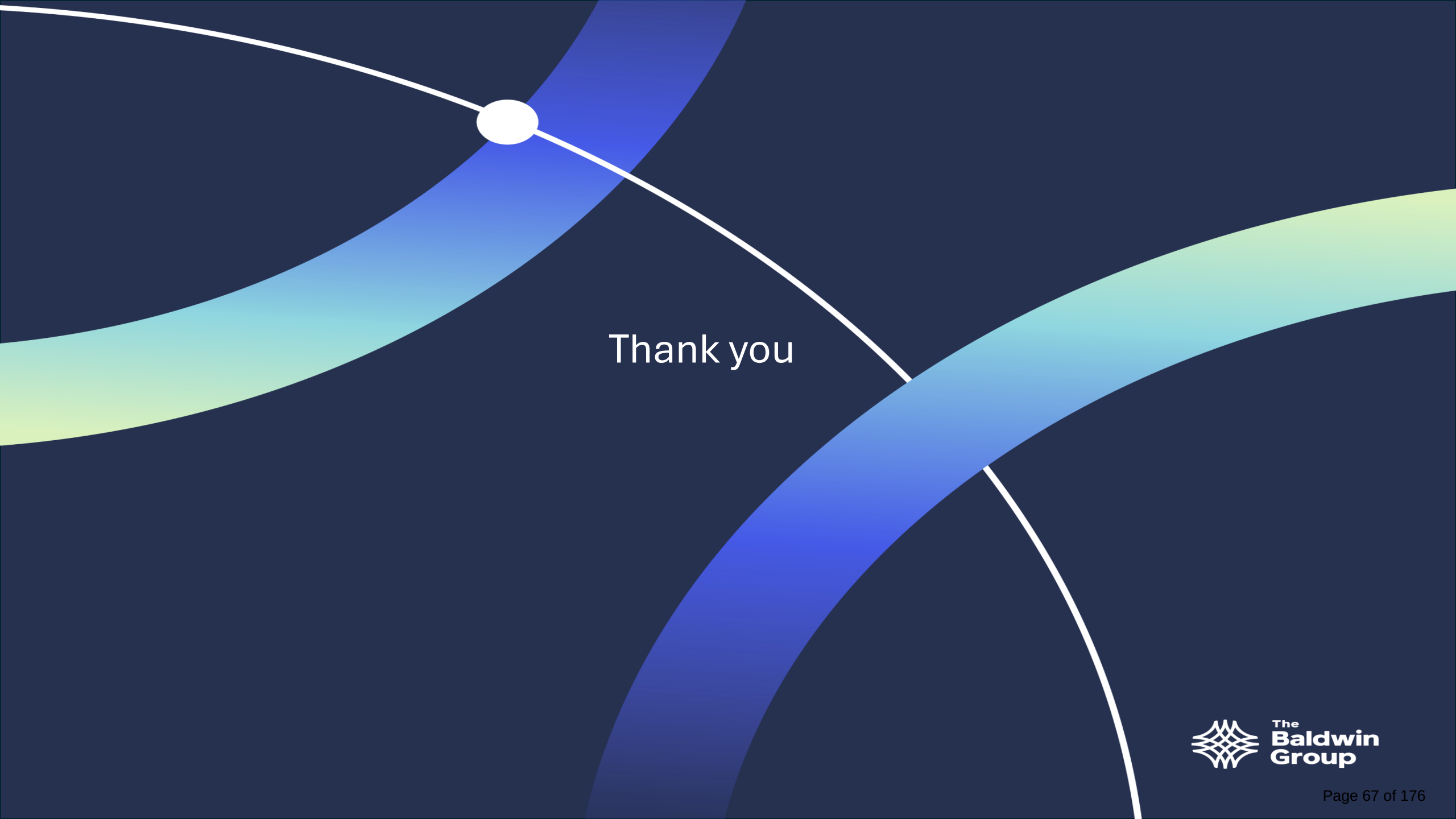
Customer Service

Clients have access to a dedicated internal team for plan questions, escalated service issues, and quick, direct support whenever needed. Members will have a customer service line dedicated to Group Medicare plans, along with an internet portal and phone app for their personal use.

Pharmacy

If selecting the Humana Pharmacy plan as well, members would have access to a nationwide network of retail and mail-order options to refill their prescriptions.





Thank you

GROUP RETIREE INSURANCE PLAN

SUMMARY OF COVERAGE



PLAN FOR RETIREES OF:

CITY OF NORCROSS

THROUGH BENEFITS ADVISORY TRUST, GRIP OPTION 2

UNDERWRITTEN BY: HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY

¹Calendar Year Deductible: \$200

Calendar Year Maximum: \$1,000

PART A SERVICES

SERVICES	MEDICARE PAYS ⁽¹⁾	PLAN PAYS ⁽¹⁾	YOU PAY
HOSPITALIZATION ⁽²⁾			
Semi-private room and board, general nursing, and miscellaneous services and supplies:			
First 60 days	All but the Part A Deductible	100% of Medicare Part A Deductible	\$0
61 st through 90 th day	All but 25% of Medicare Part A Deductible per day	100% of Medicare Part A Coinsurance	\$0
91 st through 150 th day (60 day Lifetime Reserve Period)	All but 50% of Medicare Part A Deductible per day	100% of Medicare Part A Coinsurance	\$0
Once Lifetime Reserve days are used (or would have ended if used) additional 365 days of confinement per person per lifetime	\$0	100%	\$0
SKILLED NURSING FACILITY CARE			
Semi-private room and board, skilled nursing and rehabilitative services and other services and supplies. You must meet Medicare's requirement which includes hospitalization of at least 3 days. You must enter a Medicare-approved facility within 30 days after leaving the hospital:			
First 20 days	All approved amounts	\$0	\$0
21 st through 100 th day	All but 12.5% of Medicare Part A Deductible per day	Up to 100% of Medicare SNF Coinsurance	\$0
101 st through 365 day	\$0	\$0	All other charges

GROUP RETIREE INSURANCE PLAN

SUMMARY OF COVERAGE



SERVICES	MEDICARE PAYS ⁽¹⁾	PLAN PAYS ⁽¹⁾	YOU PAY
BLOOD DEDUCTIBLE – Hospital Confinement and Out-Patient Medical Expenses When furnished by a hospital or skilled nursing facility during a covered stay.			
First 3 pints	\$0	100%	\$0
Additional amounts	100%	\$0	\$0
HOSPICE CARE – Hospital Confinement and Out-Patient Medical Expenses Pain relief, symptom management and support services for terminally ill.			
As long as Physician certifies the need	All costs, but limited to costs for out-patient drug and in-patient respite care	Co-insurance charges for in-patient respite care, drugs and biologicals approved by Medicare	All other charges

PART B SERVICES

SERVICES	MEDICARE PAYS ⁽¹⁾	PLAN PAYS ⁽¹⁾	YOU PAY
OUT-PATIENT MEDICAL EXPENSES The Policy may cover the following Medicare Part B Benefits: - Physician Services Benefit - Specialist Services Benefit - Outpatient Hospital Services and Ambulatory Surgical Care Benefit - Outpatient Diagnostic and Radiology Services Benefit - Outpatient Mental Health and Substance Abuse Services Benefit - Outpatient Rehabilitative and Cardiac Rehabilitative Services Benefit - Emergency Care Benefit - Urgent Care Benefit - Ambulance Services Benefit - Durable Medical Equipment and Prosthetics Benefit All Medicare Part B Benefits are based on per vist, except Ambulance Services Benefit, which is based on per trip, and Durable Medical Equipment and Prosthetics Benefit, which is based on per device.			
Medicare Part B Deductible	\$0	\$0	100%
Remainder of Medicare-approved amounts	80%	80% of the remaining 20% until out-of-pocket expenses reach \$1,000, then the plan pays 20%	After the Calendar Year Deductible has been met, 20% of remaining 20% until \$1,000, then 0%

GROUP RETIREE INSURANCE PLAN

SUMMARY OF COVERAGE



SERVICES	MEDICARE PAYS ⁽¹⁾	PLAN PAYS ⁽¹⁾	YOU PAY
Part B Excess Charges for Non-Participating Medicare providers covers the difference between the 115% Medicare limiting fee and the Medicare-approved Part B charge	\$0	0%	All Costs

ADDITIONAL SERVICES

SERVICES	MEDICARE PAYS ⁽¹⁾	PLAN PAYS ⁽¹⁾	YOU PAY
PREVENTIVE MEDICAL CARE & CANCER SCREENINGS⁽³⁾ Coverage for expenses incurred by a covered person for physical exams, preventive screening tests and services, cancer screenings, and any other tests or preventive measures determined to be appropriate by the attending Physician. Refer to your Medicare and You handbook for more information on Preventive services.			
“Welcome to Medicare” Physical Exam -within first 12 months of Part B enrollment	100%	\$0	\$0
Annual Wellness Visit	100%	\$0	\$0
Vaccinations	100%	\$0	\$0
Preventive Care Cancer Screening Benefits ⁽³⁾	Generally 100% for most preventive screenings. Some screenings subject to the Medicare Part B Deductible and Coinsurance	100% of remaining covered expenses Incurred not covered by Medicare	\$0
FOREIGN TRAVEL EMERGENCY Medically necessary emergency care services.			
Emergency services needed due to Injury or Sickness of sudden and unexpected onset during the first 60 days while traveling outside the United States.	\$0	80% after !\$250 Deductible (to a lifetime maximum of \$50,000)	[!] \$250 Deductible and then 20% of expenses incurred (to a lifetime maximum of \$50,000, then 100% thereafter)

GROUP RETIREE INSURANCE PLAN

SUMMARY OF COVERAGE



- ¹ The Calendar Year Deductible applies to Medicare Part A and Medicare Part B Services. The Calendar Year Deductible must be met before the Plan will pay and applies toward the out-of-pocket expense maximum. The Calendar Year Maximum applies to Medicare Part A and Medicare Part B out of pocket expenses. The plan pays the remaining Medicare Part B coinsurance, if any, after your copayment until your Medicare Part B expenses reach the calendar year maximum stated, then the plan pays 100%. The Foreign Travel Emergency deductible is a separate deductible.
- ¹ This chart describes coverage that is only available to persons who are at least 65 and Medicare-eligible. Medicare amounts typically change January 1 of each year.
- ² A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row. Hospital does not include any institution or part thereof that is used primarily as a nursing home, convalescent home, or Skilled Nursing Facility; a place for rest, custodial, educational or rehabilitory care; a place for the aged; or, a place for alcoholism or drug addiction.
- ³ If any of the cancer screening tests are not covered by Medicare, the plan will pay the usual and customary charges incurred. Please refer to your certificate for a full description of preventive screenings.

Please note this policy also may cover certain benefits mandated by the state where the employer is situated or the state where you reside. Refer to your certificate for a description of any additional benefits.

GROUP RETIREE INSURANCE PLAN

SUMMARY OF COVERAGE



The Hartford® is The Hartford Financial Services Group, Inc. and its subsidiaries, including underwriting companies Hartford Life and Accident Insurance Company and Hartford Fire Insurance Company. Home Office is Hartford, CT. All benefits are subject to the terms and conditions of the policy. Policies underwritten by the underwriting companies listed above detail exclusions, limitations, reduction of benefits and terms under which the policies may be continued in force or discontinued. This proposal explains the general purpose of the insurance described, but in no way changes or affects the policy as actually issued. In the event of a discrepancy between this proposal and the policy, the terms of the policy apply. Complete details are in the Certificate of Insurance issued to each insured individual and the Master Policy as issued to the policyholder. Benefits are subject to state availability. © 2019 The Hartford.

Not connected with or endorsed by the U.S. Government or the federal Medicare program.

Limitations & Exclusions: The Hartford's Insurance Plan does not cover any expense that is not a Medicare Eligible Expense or beyond the limits imposed by Medicare for such expenses or excluded by name or specific description by Medicare, except as specifically provided in the policy. The plan does not cover: Any part of a covered expense to the extent paid by Medicare; benefits payable under one benefit of the policy to the extent covered under another benefit of the policy; or expense incurred after coverage terminates, except as stated in the Extension-of-Benefits provision of the policy.

HUMANA MEDICARE EMPLOYER LPPO PLAN
2026 LPPO for Standard Plan 079 Option 251 - Passive

Annual Maximum Out-of-Pocket	• In-Network: \$1,000 per individual per plan year (excludes Part D Pharmacy, Extra Services and the Plan Premium).		
	• Combined In and Out-of-Network: \$1,000 per individual per plan year (excludes Part D Pharmacy, Extra Services, Worldwide Coverage and the Plan Premium).		
Annual Deductible	• Combined In and Out-of-Network: NONE		
	• Combined In-Network Exclusions: N/A		
	• Combined Out-of-Network Exclusions: N/A		
Place of Treatment	Benefit	Network Coverage Plan Pays (1):	Non-Network Coverage Plan Pays (1):
Primary Care Physician	• Office Visit	100%	100%
	• Diagnostic Procedures and Tests	100%	100%
	• Lab Services	100%	100%
	• Surgical Procedures	100%	100%
	• Allergy Shots and Injections	100%	100%
	• Mental Health/Substance Abuse Services	100%	100%
	• Administration of Drugs in a Physician's Office	100%	100%
	• Medicare Part B Insulin Drugs	100%	100%
Specialist	• Office Visit	100% after \$5 copayment	100% after \$5 copayment
	• Advanced Imaging Services	100%	100%
	• Diagnostic Procedures and Tests	100% after \$5 copayment	100% after \$5 copayment
	• Lab Services	100%	100%
	• Surgical Procedures	100% after \$5 copayment	100% after \$5 copayment
	• Diagnostic Colonoscopy	100% after \$5 copayment	100% after \$5 copayment
	• Podiatry Services (Medicare-covered)	100%	100%
	• Chiropractic Services (Medicare-covered)	100% after \$5 copayment	100% after \$5 copayment
	• Cardiac Therapy	100%	100%
	• Supervised Exercise Therapy (SET) Symptomatic Peripheral Artery Disease (PAD) Services	100%	100%
	• Pulmonary Therapy	100%	100%
	• Therapies (Occupational, Physical, Audiology, and Speech)	100%	100%
	• Radiation Therapy	100% after \$5 copayment	100% after \$5 copayment
	• Allergy Shots and Injections	100% after \$5 copayment	100% after \$5 copayment
	• Mental Health/Substance Abuse Services	100%	100%
	• Opioid Treatment Services	100%	100%
	• Administration of Drugs in a Physician's Office	100%	100%
	• Medicare Part B Insulin Drugs	100%	100%
	• Chemotherapy Drugs	100%	100%
	• Dental Services (Medicare-covered)	100% after \$5 copayment	100% after \$5 copayment
	• Hearing Services (Medicare-covered)	100% after \$5 copayment	100% after \$5 copayment
	• Vision Services (Medicare-covered)	100% after \$5 copayment	100% after \$5 copayment
	• Eyewear for Post-Cataract Surgery	100% after \$5 copayment •For eyeglasses and contacts following cataract surgery.	100% after \$5 copayment •For eyeglasses and contacts following cataract surgery.
	• Diabetic Eye Exam	100%	100%
	• Acupuncture Services (Medicare-Covered) for Chronic Lower Back Pain • Your plan allows services to be received by a provider licensed to perform acupuncture or by providers meeting the Original Medicare provider requirements.	•100% after \$5 copayment for acupuncture for chronic low back pain visits up to 20 combined in and out of network visit(s) per year. - CLB318	•100% after \$5 copayment for acupuncture for chronic low back pain visits up to 20 combined in and out of network visit(s) per year. - CLB318 •Benefits received out-of-network are subject to any in-network benefit maximums, limitations, and/or exclusions.
Preventive Services	• Abdominal Aortic Aneurysm Screening	100%	100%
	• Alcohol Misuse Screening and Counseling		
	• Annual Wellness Visit		
	• Bone Mass Measurement		
	• Breast Cancer Screening		
	• Cardiovascular Disease Behavioral Therapy		
	• Cardiovascular Disease Screening		
	• Cervical and Vaginal Cancer Screening		
	• Colorectal Cancer Screening		
	• Depression Screening		
	• Diabetes Screening		
	• Diabetes Self-Management Training		
	• Glaucoma Screening		
	• Hepatitis C Screening		
	• HIV Screening		
	• Kidney Disease Education Services		
	• Immunizations		
	• Lung Cancer Screening		
	• Medicare Diabetes Prevention Program (MDPP)		
	• Medical Nutrition Therapy		
	• Obesity Screening and Therapy		
	• Physical Exams (Routine)		
	• Prostate Cancer Screening Exam		
	• Smoking and Tobacco Use Cessation		
	• STI Screening and Counseling		
	• "Welcome to Medicare" Preventive Visit		

Inpatient Hospital Services	• Inpatient Care (All Authorized Admissions)	100% after \$100 copayment per admission	100% after \$100 copayment per admission
	• Inpatient Physician Services	100%	100%
	• Inpatient Mental Health Care/Substance Abuse Services (All Authorized Admissions)	100% after \$100 copayment per admission	100% after \$100 copayment per admission
Inpatient Psychiatric Facility	• Inpatient Mental Health Care/Substance Abuse Services (All Authorized Admissions)	100% after \$100 copayment per admission •190 day lifetime limit in a psychiatric facility.	100% after \$100 copayment per admission •190 day lifetime limit in a psychiatric facility.
	• Inpatient Mental Health/Substance Abuse Physician Services	100%	100%
Outpatient Hospital	• Surgical Services	100% after \$100 copayment	100% after \$100 copayment
	• Diagnostic Colonoscopy	100% after \$100 copayment	100% after \$100 copayment
	• Advanced Imaging Services	100% after \$25 copayment	100% after \$25 copayment
	• Nuclear Medicine Services	100%	100%
	• Diagnostic Procedures and Tests	100% after \$25 copayment	100% after \$25 copayment
	• Lab Services	100% after \$25 copayment	100% after \$25 copayment
	• Radiation Therapy	100%	100%
	• Cardiac Therapy	100%	100%
	• Supervised Exercise Therapy (SET) for Symptomatic Peripheral Artery Disease (PAD) Services	100%	100%
	• Pulmonary Therapy	100%	100%
	• Therapies (Occupational, Physical, Audiology, and Speech)	100% after \$25 copayment	100% after \$25 copayment
	• Chemotherapy Drugs	100%	100%
	• Renal Dialysis Services	100%	100%
	• Mental Health/Substance Abuse Services	100% after \$50 copayment	100% after \$50 copayment
	• Partial Hospitalization	100%	100%
	• Intensive Outpatient Services	100%	100%
	• Opioid Treatment Services	100% after \$50 copayment	100% after \$50 copayment
	• Other Medicare Part B Drugs	100%	100%
	• Medicare Part B Insulin Drugs	100%	100%
	• Observation Services	100%	100%
	• Outpatient Physician Services	100%	100%
Skilled Nursing Facility (SNF)	• SNF Care (no 3 day hospital stay is required)	100% per day (days 1-100) •Plan pays \$0 after 100 days.	100% per day (days 1-100) •Plan pays \$0 after 100 days.
	• SNF Physician Services	100%	100%
Urgent Care Center	• Urgently Needed Care	100% after \$50 copayment	100% after \$50 copayment
	• Lab Services	100%	100%
Emergency Room	• Emergency Services (2)	100% after \$100 copayment • Waived if admitted within 24 hours	100% after \$100 copayment • Waived if admitted within 24 hours
	• Emergency Room Physician Services	100%	100%
Ambulance	• Ambulance Services	100% per date of service •Limited to Medicare-covered transportation.	100% per date of service •Limited to Medicare-covered transportation.
Travel Benefit	• US Travel Benefit	Member receives in-network benefit when services are received from a participating PPO provider in another Humana PPO service area.	N/A
Worldwide Coverage	• Emergency Services and Urgently Needed Care Only	N/A	80% coinsurance Limited to emergency Medicare-covered services. \$100 deductible per year, \$25,000 Maximum Benefit per year Or 60 consecutive days, whichever is reached first.
Comprehensive Outpatient Rehabilitation Facility	• Pulmonary Therapy	100%	100%
	• Therapies (Occupational, Physical, Audiology, and Speech)	100%	100%
Freestanding Radiological Facility	• Advanced Imaging Services	100%	100%
	• Nuclear Medicine Services	100% after \$25 copayment	100% after \$25 copayment
	• Diagnostic Procedures and Tests	100%	100%
	• Radiation Therapy	100%	100%
Ambulatory Surgical Center	• Surgical Procedures	100% after \$50 copayment	100% after \$50 copayment
	• Diagnostic Colonoscopy	100% after \$50 copayment	100% after \$50 copayment
Freestanding Laboratory	• Lab Services	100%	100%
Dialysis Center	• Renal Dialysis Services	100%	100%
Home Health	• Home Health Care	100% •Excludes Personal Home Care.	100% •Excludes Personal Home Care.
DME Provider	• Durable Medical Equipment	100%	100%
	• Diabetic Monitoring Supplies	100%	100%
	• Continuous Glucose Monitor	100%	100%
Medical Supply Provider	• Medical Supplies	100%	100%
Preferred Diabetic Supplier	• Diabetic Monitoring Supplies	100%	N/A
Prosthetics Provider	• Prosthetics	100%	100%
Pharmacy (Part B Only)	• Durable Medical Equipment	100%	100%
	• Medical Supplies	100%	100%
	• Diabetic Monitoring Supplies	100%	100%
	• Continuous Glucose Monitor	100%	100%
	• Other Medicare Part B Drugs	100%	100%
	• Medicare Part B Insulin Drugs	100%	100%

Additional Telehealth Services	• Primary Care Physician - Virtual Visit	100%	N/A
	• Specialist - Virtual Visit	100% after \$5 copayment	N/A
	• Behavioral Health and Substance Abuse - Virtual Visit	100%	N/A
	• Urgently Needed Care - Virtual Visit	100%	N/A

The benefit and discount information presented here are current as of the date of this document. If a change should occur prior to implementation, Humana will clarify any change and notify the group sponsor.

Extra Benefits (MSB)	• SilverSneakers®	Access to fitness locations across the country that may include weights and machines plus group exercise classes led by trained instructors at select locations.
	• Personal Health Coaching	Personal Health Coaching for wellness improvement, including weight management, nutrition, exercise, back care, blood pressure management, and blood sugar management.
	• Smoking Cessation (Additional)	A comprehensive smoking cessation program available online, email and phone to aid in the effort to quit smoking.
	• Meal Program	After a member's overnight inpatient stay in a hospital or skilled nursing facility, members are eligible for nutritious meals delivered to their door at no cost.
	• Post-Discharge Transportation Services	After a member's overnight inpatient stay in a hospital or skilled nursing facility, members are provided transportation to plan approved locations by rideshare services, car, van or wheelchair accessible vehicle at no cost.
	• Post-Discharge Personal Home Care	After a member's overnight inpatient stay in a hospital or skilled nursing facility, members may receive assistance performing activities of daily living (ADLs) within the home and Instrumental Activities of Daily living related to personal care. Types of assistance include bathing, dressing, toileting, walking, eating and preparing meals.
Care Management	• Clinical Programs/Disease Management (3) - Case Management - Humana at Home® - Chronic Condition Management - Transplant Management - Behavioral Health Care Coordination	Health education and clinical programs that provide support to members and caregivers to optimize health outcomes.

(1) All coinsurance percentages are based on the Medicare fee schedule and not billed charges. All copayments are on a 'per visit' basis, unless otherwise noted.

(2) Emergency room copayment waived if admitted or if hospital is outside the U.S.

(3) We have provided examples of various Health Education and clinical programs. Actual programs may vary by market.

Go365® by Humana is included in this plan

A wellness program that rewards Medicare beneficiaries for completing eligible healthy activities that help your members establish and maintain a healthy lifestyle. As your members achieve manageable health goals, Go365 keeps them engaged and motivated by acknowledging their efforts. By completing healthy activities like walking, getting an Annual Wellness Exam, or volunteering, your members earn rewards they can redeem for gift cards in the Go365 Mall.

This information is not a complete description of benefits. Contact the plan for more information. Limitations, copayments and restrictions may apply. Benefits, premiums and/or member cost-share may change each year. Please refer to the Evidence of Coverage for additional information regarding covered services and limitations or any other contractual conditions. Certain services under the plan require authorization by network providers. For a complete description of benefits, exclusions and limitations please refer to the actual Evidence of Coverage. If a discrepancy arises between this information and the actual Evidence of Coverage, the Evidence of Coverage will prevail in all instances.
Humana is a Medicare Employer PPO plan with a Medicare contract. Enrollment in this Humana plan depends on contract renewal.



Mayor: Craig Newton • Mayor Pro Tem: Marshall Cheek • Councilmember: Andrew Hixson • Councilmember: Josh Bare
Councilmember: Matt Myers • Councilmember: Bruce Gaynor • City Manager: Eric Johnson • City Clerk: Monique Philip

AGENDA REPORT

To: Mayor and Council

From: David Versel, Economic Development Director
Jalia Killings, Planner, GIS, Sustainability

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No.: 2025-282

Title: Certified Local Government Program

CC: Eric Johnson, City Manager

Recommendation

Authorize Mayor to sign a Request for Certification Letter as part of the City of Norcross' application to become a Certified Local Government with the Georgia Department of Community Affairs.

Background

The City has the opportunity to apply to become a [Certified Local Government \(CLG\)](#), which “assists local governments with integrating historic preservation concerns into local planning decisions.”

The CLG program is established under the National Historic Preservation Act (NHPA) of 1966 and amended in 1980, empowers local governments to actively preserve their historic resources. Administered in Georgia by the Department of Community Affairs (DCA) in its role as the State Historic Preservation Officer, the program certifies local governments that meet specific criteria, including the adoption of a preservation ordinance and the establishment of a preservation commission.

The City currently meets the eligibility and minimum requirements and only needs to submit an application, which must include a letter from the Mayor’s Office (Chief Elected Official).

Achieving the certification would make the City of Norcross eligible for additional federal grant programs to preserve historic properties and support the businesses located within them. For example, the Historic Depot building is in need of major exterior repairs for which the City will be responsible under its recently executed lease with The Crossing. Obtaining CLG status would allow the City to provide much-needed support for this and similar preservation efforts

Ongoing requirements include trainings, submitting annual reports, and maintenance of duties of the Historic Preservation Board.

Grant Cycle is from December 2025 to February 2026.

Financial Impact

A requirement for maintaining CLG certification is for at least one member of the Historic Preservation Commission (HPC) or a City staff person to participate in annual orientation/training sessions sponsored by DCA. Cost to the City could range from \$0 to \$500 for registration per attendee.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

- 1. Continues to define Norcross' sense of place**
- 2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment**
3. Increases Opportunities for Travel via Different Modes within and Outside the Community
- 4. Furthers the City's Tradition of Strong Leadership and High Level of Quality Services**

Attachments

- CLG Manual (hyperlinked above)
- Draft Letter from Elected Official
- Informational Flyer

Online Web Resources

- <https://dca.georgia.gov/community-assistance/historic-preservation/certified-local-government-grants>
- <https://dca.georgia.gov/community-assistance/historic-preservation/certified-local-governments>

Next Steps

Send Request for Certification letter to DCA and proceed with application

THE GEORGIA CERTIFIED LOCAL GOVERNMENT PROGRAM

Application and Procedures

Georgia Department of Community Affairs
Historic Preservation Division
60 Executive Park South NE
Atlanta, GA 30329

~

October 2014

Developed for the Historic Preservation Division in cooperation with the Public Service and Outreach Office of the University of Georgia, College of Environment and Design.

This document has been updated in 2014 by the Historic Preservation Division, Georgia Department of Natural Resources. The original document was developed in 1984.

This publication has been financed in part with federal funds from the National Park Service, U.S. Department of the Interior, through the Historic Preservation Division of the Georgia Department of Community Affairs. This program received Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, as amended, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, gender, or disability in its federally assisted programs. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: Office of Equal Opportunity, National Park Service, Post Office Box 37127, Washington, DC 20013.

Table of Contents

I.	Introduction	5
II.	Requirements and Process for Certification	7
A.	Eligibility	8
B.	Minimum Requirements	8
1.	“Enforce State or Local Legislation for the Designation and Protection of Historic Properties.”	8
2.	“Establish an Adequate and Qualified Historic Preservation Review Commission by State or Local Legislation.”	9
3.	“Maintain a System for Survey and Inventory of Historic Properties.”	11
4.	“Provide for Adequate Public Participation in the Local Historic Preservation Programs Including the Process of Recommending Properties for Nomination to the National Register of Historic Places.”	12
5.	“Satisfactorily Perform the Responsibilities Delegated to it Under the Act.”	12
C.	Process for Certification	13
D.	Participation in the National Register Nomination Process	14
E.	Monitoring and Assessment of Performance	16
F.	Decertification	17
III.	Transfer of Historic Preservation Funds to Certified Local Governments	19
A.	General Information and Conditions for Eligibility	20
B.	Minimum Administrative Requirements	21
C.	Eligible Projects	23
D.	Selection Criteria	24
E.	Grant Cycle	24

IV.	The Georgia Historic Preservation Act	26
V.	Attachments	36
A.	Application for Certification in the CLG Program	37
B.	Historic Preservation Commission Member Resume Form	40
C.	Sample Letter of Request for Certification from Chief Elected Official	41
D.	Resources for Commission Board Members and Staff	42
E.	Related Information	43
F.	List of Georgia Certified Local Governments	44

Chapter I

INTRODUCTION

Introduction

Since its initial enactment in 1966 and through several amendments, the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq*), has provided the statutory framework for the national historic preservation partnership. Federal, state, tribal, and local governments have well-defined and significant roles in the identification, evaluation, designation and protection of historic and prehistoric properties. Under the National Historic Preservation Act, the role of “certified local governments” in the partnership involves, at minimum, (1) responsibility for review and approval of nominations of properties to the National Register of Historic Places, and (2) eligibility to apply to the State Historic Preservation Officer for matching funds reserved for “certified local governments.” In order to become and remain certified, a local government must meet several requirements; these include having enacted a historic preservation ordinance and the appointment of a qualified historic preservation commission. The 1980 Act directs the State Historic Preservation Officer, who in Georgia is the Commissioner of the Department of Community Affairs, and the Secretary of the U.S. Department of Interior to certify local governments to participate in the partnership. This document outlines how that partnership works in Georgia.

Prior to April 8, 1980, local governments were able to enact preservation ordinances as part of their zoning authority. However, on that date, the Georgia Historic Preservation Act was signed into law specifically authorizing minimum standards for the creation and operation of local preservation commissions. Georgians now have a framework for developing and implementing local preservation policy. The procedures for certifying local governments contained herein reflect the Georgia Historic Preservation Act and its use, in light of federal legislation, in evaluating local ordinances and local commissions.

The National Historic Preservation Act and its implementing regulations (36 CFR 61) require each state to establish its own process and guidelines for certifying local governments. The Historic Preservation Division began the process in the spring of 1983 by consulting with local governments, local commissions, and other persons and groups interested in preservation. Workshops were conducted in June of 1983 in Atlanta and in March of 1984 in Macon, specifically for local commissions. Information on the Certified Local Government (CLG) Program was distributed. The 1984 workshops resulted in the creation of the Georgia Alliance of Preservation Commissions, a private, non-profit organization. Through the initial reactions to the program and through an ongoing process of assessing local needs and evaluating existing ordinances and commissions in Georgia, these procedures were developed.

These procedures have been updated and expanded to reflect changes in federal law and the state historic preservation program. Specific provisions relating to time frames and the monitoring and evaluation process were clarified and expanded. The procedures have also been updated. Most significantly, CLG reports will now be required once every four calendar years. Please read the new procedures carefully to determine how these changes will affect your Certified Local Government.

Chapter II

REQUIREMENTS AND PROCESS FOR CERTIFICATION

II. A. ELIGIBILITY

Any local government which meets the criteria set forth in this document is eligible for certification.

The National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq*), contains five broad standards that must be met by a local government seeking certification. The local government must:

1. Enforce appropriate state or local legislation for the designation and protection of historic properties.
2. Establish an adequate and qualified historic preservation review commission by local legislation.
3. Maintain a system for survey and inventory of historic properties.
4. Provide for adequate public participation in the local historic preservation program, including the process of recommending properties to the National Register of Historic Places.
5. Satisfactorily perform the responsibilities delegated to it under the Act.

The minimum requirements for certification of local governments in Georgia are defined and amplified below.

II. B. MINIMUM REQUIREMENTS

1. “ENFORCE APPROPRIATE STATE OR LOCAL LEGISLATION FOR THE DESIGNATION AND PROTECTION OF HISTORIC PROPERTIES.”

In addition to the federal requirements, each local government must adopt and enforce a historic preservation ordinance for the designation and protection of historic and prehistoric resources.

- a. Historic preservation ordinances adopted before April 8, 1980 (date of the enactment of the Georgia Historic Preservation Act) must provide a mechanism for the designation and protection of historic properties and in purpose be substantially consistent with the Georgia Historic Preservation Act as amended (O.C.G.A., T.44 CH.10, Art. 2, attached).
- b. Historic preservation ordinances adopted after April 8, 1980 must be consistent with the Georgia Historic Preservation Act (O.C.G.A., T. 44, Ch. 10, Art. 2, attached).

2. “ESTABLISH AN ADEQUATE AND QUALIFIED HISTORIC PRESERVATION REVIEW COMMISSION BY STATE OR LOCAL LEGISLATION.”

Each local government must have a historic preservation commission with a minimum of three (3) members.

- a. All members of the Commission must have demonstrated special interest, competence, or knowledge in historic preservation. To the extent that such professionals are available in the community, Commission members must be appointed from the disciplines of architecture, history, architectural history, planning, archaeology, or other historic preservation-related disciplines, such as urban planning, American studies, American civilization, cultural geography, cultural anthropology, folklore, curation, conservation, real estate, law, or landscape architecture. As part of their work in a particular discipline, professionals must be positively involved in historic preservation through the active support and use of recognized preservation techniques and strategies. For example, a banker with experience in federal housing or loan programs targeted to historic neighborhoods might be an appropriate commission member. Commission members must be appointed by the chief elected official of the jurisdiction. If unable to meet the professional membership requirements, the local government must demonstrate in writing how it has made a reasonable effort to appoint commission members from these professional disciplines.
- b. The Commission’s geographic area of authority must coincide with the boundaries of the local government’s jurisdiction.
- c. The responsibilities of the Commission must be complementary to and coordinated with those of the Historic Preservation Division of the Department of Community Affairs, the state historic preservation office in Georgia as enumerated in the National Historic Preservation Act, as amended, and with state and federal preservation standards, guidelines and regulation. They must include the authority to:
 - (1) Prepare and maintain an inventory of all properties within its jurisdiction having the potential for designation as historic property;
 - (2) Recommend to the local governing body specific places, districts, sites, buildings, structures or works of art to be designated by ordinance as historic properties or historic districts;
 - (3) Review applications for Certificate of Appropriateness or some other approval/review mechanism for locally-designated historic resource protection and grant or deny the same in accordance with the provisions of the ordinance;

- (4) Conduct educational programs on historic properties located within its jurisdiction and on general historic preservation activities;
 - (5) Make investigations and studies of matters relating to historic preservation including consultation with historic preservation experts;
 - (6) Seek out local, state, federal, and private funds for historic preservation, and make recommendations to the local governing body concerning the most appropriate uses of any funds acquired;
 - (7) Review and make comments to the Historic Preservation Division of the Department of Community Affairs concerning the nomination of properties within its jurisdiction to the National Register of Historic Places;
 - (8) Participate in private, state, and federal historic preservation programs and with the consent of the local governing body, enter into agreements to do the same.
- d. In carrying out the above enumerated responsibilities, the local government may find it necessary to seek additional expertise outside its membership. For example, when a Commission reviews a National Register nomination for an archaeological site and the archaeology discipline is not represented on the Commission, the Commission must seek expertise in archaeology before rendering its decision. This requirement holds for review of National Register nominations as well as designations of local properties and other activities that are normally evaluated by a professional representing a specific discipline. This additional expertise can be obtained through:
- (1) The Commission's technical assistance/professional staff;
 - (2) Local government professional staff;
 - (3) A qualified consultant;
 - (4) The Regional Commission;
 - (5) Federal, state, local, or private preservation agencies or organizations; or
 - (6) Other adequately qualified sources as identified by the Commission and the local government.

Commissions may explore the possibility of sharing professional expertise among several communities.

- e. Each Commission member, and anyone serving the Commission in a technical assistance/professional staff capacity, shall attend at least one informational or

educational meeting per year pertaining to historic preservation. Such meetings may include those sponsored by the Historic Preservation Division, the National Trust for Historic Preservation, the Georgia Trust for Historic Preservation, the Georgia Alliance of Preservation Commissions, the National Alliance of Preservation Commissions, university programs, or a local preservation organization.

- f. The local government must designate a paid member of its staff or a person working under contract as a source of technical/administrative /professional assistance to be responsible for the operations of the Commission in keeping with the requirements of certification for participation in the Certified Local Government Program. The local government must specify the amount of time this person will devote to historic preservation activities. Although it is encouraged, the designated person need not have historic preservation as his or her sole responsibility, nor must the person have specific training or expertise in a preservation-related field. The intent of this Georgia requirement is to ensure that the local government is capable of meeting its legal responsibilities related to historic preservation. The designated person could be the director or paid staff of the Commission, the planning director or a member of the planning staff, the zoning administrator, city or county manager, or another staff member as designated by the local government. This person could also be a planner or other staff member of a county, state, regional, or private agency that provides services to the local government under the terms of the contract. This person will act as the liaison between the Historic Preservation Division and the Commission.
- g. The requirements for establishing a Commission that is eligible for certification in Georgia cannot be more stringent or comprehensive than the requirements for the Georgia National Register Review Board.

3. “MAINTAIN A SYSTEM FOR THE SURVEY AND INVENTORY OF HISTORIC PROPERTIES.”

Each Certified Local Government must prepare and maintain an inventory of all historic property within the boundaries of its jurisdiction. All inventory and survey data must:

- a. Be readily integrated into the Historic Preservation Division’s inventories, the statewide comprehensive historic preservation plan, and other appropriate state and local planning processes;
- b. Follow guidelines for conducting local surveys, as approved by the Historic Preservation Division, and shall not be inconsistent with the Secretary of the Interior’s “Standards for Identification and Evaluation;”
- c. Be recorded using the Georgia Historic Resources Survey Form as provided by the Historic Preservation Division, or on some other form approved by the

Historic Preservation Division;

- d. Be accessible to the public except when disclosure may cause significant invasion of privacy, risk harm to the historic resources, or impede the use of traditional religious site by practitioners (the terms of this agreement may not apply to tribal lands);
 - e. Be updated periodically;
 - f. Be maintained in a safe and secure location; and
 - g. Be available through duplicate or original files at the Historic Preservation Division.
4. “PROVIDE FOR ADEQUATE PUBLIC PARTICIPATION IN THE LOCAL HISTORIC PRESERVATION PROGRAMS, INCLUDING THE PROCESS OF RECOMMENDING PROPERTIES FOR NOMINATION TO THE NATIONAL REGISTER OF HISTORIC PLACES.”
- a. All meetings of the Commission must be publicly announced, be open to the public, and have a previously advertised agenda. Commission meetings must occur at regular intervals; a commission must meet as often as necessary to complete its work in a timely fashion, no less than once a year. Public notice must be provided prior to any special meetings.
 - b. Careful minutes of all decisions and actions of the Commission, including the reasons for making the decisions, must be kept on file and available for public inspection.
 - c. All decisions of the Commission must be made in a public forum and applicants must be given written notification of the Commission’s decision.
 - d. The rules of procedure adopted by the Commission must be available for public inspection.
 - e. During the process of reviewing properties for nomination to the National Register, the Commission must provide opportunity for public comments as specified in II.D, “Participation in the National Register Nomination Process,” of these procedures.
5. “SATISFACTORILY PERFORM THE RESPONSIBILITIES DELEGATED TO IT UNDER THIS ACT.”

The local government must satisfactorily perform the responsibilities listed in II.B.1-4 above and any others specifically delegated to it by the Georgia State Historic Preservation Officer. In addition, the local government must:

- a. Ensure that at least one member of the Commission, the person serving as

Commission technical staff pursuant to II.B.2f of these procedures, or a representative appointed by the chief local elected official who has an ongoing relationship with the Commission, will attend an orientation/training session sponsored by the Historic Preservation Division or approved by the Historic Preservation Division as specified in II.B.2e each year; and

- b. Submit to the Historic Preservation Division a report of the activities of the Commission, when requested, not less than every four calendar years. The report shall include, but is not limited to, such items as number of cases reviewed, historic district and property designations made, revised resumes of Commission members/staff, appointments to the Commission, attendance records, and all minutes relating to the review of National Register nominations.

II. C. PROCESS FOR CERTIFICATION

1. A local government may request certification from the Historic Preservation Division at any time during the year. The request for certification must include:
 - a. A Certified Local Government (CLG) application signed by the chief local elected official containing assurances that the local government will fulfill all the standards for certification outlined in this document;
 - b. The name, position, address, and telephone number of the person serving as liaison between the Historic Preservation Division and the Commission as described in II.B.2f of these procedures;
 - c. A copy of all local historic preservation ordinances;
 - d. A list and accompanying maps of any areas designated by local ordinance as historic districts or any individual historic properties under the purview of the Commission; and
 - e. Resumes for each of the members of the Commission including, where appropriate, credentials or demonstrated expertise related to historic preservation.
2. The Historic Preservation Division will respond to the chief local elected official within sixty (60) business days of the receipt of an adequately documented Certified Local Government application.
3. Upon approval of request for certification, the Historic Preservation Division will enter into a written certification agreement with the local government. The agreement will specify those duties to be delegated to the local government and shall include:
 - a. The minimum federal responsibilities as outlined in II.A. of the procedures;

- b. Any responsibilities delegated to all Certified Local Governments in Georgia; and
 - c. Any additional responsibilities pre-arranged in consultation with the local government.
- 4. After having determined that a CLG application meets all the requirements in these state procedures, the Historic Preservation Division will forward a request for concurrence to the National Park Service. The request will include the following:
 - a. A copy of the signed certification agreement between the CLG and the Historic Preservation Division.
 - b. A certification by the Historic Preservation Division that the CLG application is complete and the locality meets the requirements for CLG status. The certification must be in the form of a completed review checklist or other review document. The checklist or review document must be signed and dated by the State Historic Preservation Officer or the state CLG coordinator who completed the checklist while reviewing the application.
- 5. If the request for concurrence cannot be affirmed as submitted, the National Park Service will notify the Historic Preservation Division prior to fifteen (15) business days after receipt of the request. The National Park Service shall provide written notice of what is necessary for the request for concurrence to be approved.
- 6. A Certification Agreement is not effective until it is signed by the chief elected official and the State Historic Preservation Officer, and concurred in writing by the National Park Service (NPS). The effective date of certification is the date of National Park Service concurrence. When the NPS concurs with the Historic Preservation Division recommendation for certification, the NPS will notify the Historic Preservation Division in writing, and send a copy of that letter to the CLG.

II. D. PARTICIPATION IN THE NATIONAL REGISTER NOMINATION PROCESS

In accordance with the National Historic Preservation Act, as amended, the certified local government will participate in the National Register nomination process in the following way:

- 1. The Historic Preservation Division will receive requests for National Register nominations. The requests must be made using forms provided by the Historic Preservation Division.
- 2. Upon receipt, if the property proposed for nomination lies within the jurisdiction of

a certified local government, the Historic Preservation Division will inform the chief local elected official and the Commission of the request.

3. The chief local elected official and the Commission are encouraged to provide preliminary comments, within sixty (60) business days, to the Historic Preservation Division concerning the property's eligibility for listing in the National Register and to bring to their attention any local planning information relating to the property being proposed for nomination.

Although the official opinion and formal comments of the certified local government shall be requested later, the opportunity for preliminary comments helps facilitate coordination between local governments and the Historic Preservation Division so as to expedite the nomination process.

4. Within sixty (60) business days of receipt of a nomination request the Historic Preservation Division will determine that:
 - a. The property meets the criteria for listing in the National Register and the documentation is complete; or
 - b. The property may meet the criteria for listing in the National Register but the documentation is incomplete; or
 - c. The property does not meet the criteria for listing in the National Register.

The Historic Preservation Division will then advise the applicant, the chief local elected official, and the Commission of its determination. Appeal of this determination is provided for in 36 CFR 60.12.

5. A completely documented nomination request for a property which appears to meet the National Register criteria will be scheduled for a bi-annual state review board meeting in accordance with the Historic Preservation Division's established scheduling priorities.
6. Approximately sixty (60) business days before the scheduled review board meeting, as part of the regular National Register notification process, the chief local elected official and the Commission will be notified of the proposed nomination. Notification will include a summary of the nomination materials.
7. Within thirty (30) business days of notification, the chief local elected official and the Commission must separately transmit to the Historic Preservation Division their opinions, as to whether or not the property meets the criteria for listing in the National Register. This opinion shall constitute formal comment by the certified local government and may be as simple as an affirmative statement that, in their opinion, the property meets the criteria for listing in the National Register. However, if in their opinion the property does not meet the criteria, reasons for that

opinion should be stated.

8. If there is no response from the chief local elected official and the Commission within thirty (30) business days, the nomination process continues.
9. During the thirty (30) day period, the certified local government must provide a reasonable opportunity for public comment. The measures to be taken by each certified local government will be determined by mutual agreement between the local government and the Historic Preservation Division.
10. In the event that both the Commission and the chief local elected official determine that the property does not meet the criteria for listing in the National Register and recommend the property not be considered for nomination, the Historic Preservation Division shall take no further action on the proposed nomination. However, if a written appeal is filed by a third party the nomination process must continue.
11. If the proposed nomination is approved by the Georgia National Register Review Board, the State Historic Preservation Officer will sign the nomination forms. The Historic Preservation Division will then transmit the nomination with any formal comments and opinions from the certified local government, together with any appeal that may have been filed, to the Keeper of the National Register.
12. The Historic Preservation Division may by mutual agreement with the certified local government delegate further responsibilities for National Register nominations, such as property owner notification, public meetings, and preparation of the National Register documentation materials to the local government. Any responsibility of the Historic Preservation Division may be delegated except the authority to review and nominate properties directly to the National Register.
13. The above noted CLG notification procedures do not apply where a Federal agency nominates a property under its ownership or control. Federal agencies should, however, be encouraged to coordinate their nominations with CLGs.

II. E. MONITORING AND ASSESSMENT OF PERFORMANCE

Each certified local government must perform the duties as specified in the certification agreement. The Historic Preservation Division will conduct a periodic review, at least once every four calendar years. Continuous monitoring of the activity of the certified local government ensures that the local government is fulfilling the requirements as stated in the certification agreement. The Historic Preservation Division will assure that the local government's duties are consistent with and coordinated with priorities for the identification, evaluation and protection of historic properties within the comprehensive state preservation planning process. The Historic Preservation Division will assess performance in the following ways:

1. The Historic Preservation Division will review the report submitted by the certified local government, as outlined in II.B.5 of these procedures.
2. The Historic Preservation Division may conduct on-site program evaluations, including attending any scheduled Commission meetings.
3. The certified local government shall make available to the Historic Preservation Division, upon request, all relevant records and material such as minutes, public announcements, issued/denied Certificates of Appropriateness, etc.
4. The certified local government must have at least one representative attend a training session during the year sponsored by the Historic Preservation Division as called for in II.B.5a of these procedures.
5. The periodic review shall include an assessment of the fiscal management of any Historic Preservation Fund monies awarded as a Certified Local Government grant to the local government.
6. The procedures for CLG monitoring and evaluation will be:
 - a. Complete an evaluation report within sixty (60) business days of report form being mailed to CLG contact
 - b. Inform the Historic Preservation Division of the Department of Community Affairs of any changes to any of the following:
 - (1) Composition of commission
 - (2) Local designations
 - (3) Local ordinances
 - c. The Historic Preservation Division of the Department of Community Affairs will evaluate the report along with other pertinent material and respond to the CLG if the local government's performance is inadequate, ways of improving performance, and shall stipulate a time frame in which improvements are to be made.

II. F. DECERTIFICATION

1. If the Historic Preservation Division's evaluation of the certified local government indicates that the certified local government is not fulfilling its requirements as stated in the certification agreement and these procedures, the Historic Preservation Division will document that assessment and delineate for the certified local government ways in which to improve its performance. The certified local government will have a period specified by the Historic Preservation Division of generally not less than thirty (30) business days to implement improvements.

2. At the end of the specified period, if the Historic Preservation Division determines that sufficient improvement has not occurred, a recommendation to decertify the certified local government will be made to the Secretary of the Interior citing specific reasons for the recommendation and a copy of the letter sent to the local government will be enclosed. The Secretary will have thirty (30) business days to object to a decertification request.
3. If the local government is decertified by the Secretary of the Interior, the Historic Preservation Division may terminate any financial assistance in accordance with the *Historic Preservation Fund Grants Manual*.
4. The certified local government may petition the Historic Preservation Division to be decertified voluntarily and without prejudice at any time.
5. If a local government wishes to become recertified, the process must be completed again.

Chapter III

TRANSFER OF HISTORIC PRESERVATION FUNDS TO CERTIFIED LOCAL GOVERNMENTS

III. A. GENERAL INFORMATION AND CONDITIONS FOR ELIGIBILITY

A certified local government (CLG) as defined under the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq*), and approved through the process outlined in Part II of these procedures, is eligible to apply for grants made available from at least ten percent of the State of Georgia's annual Historic Preservation Fund (HPF) appropriation. The ten percent share is specifically reserved for certified local governments. At such time as Congress may appropriate more than \$65 million to the annual HPF State appropriations, one half of the excess shall also be transferred to the CLGs according to procedures to be provided by the Secretary of the Interior. What follows are the procedures for allocating these grant funds to certified local governments in Georgia.

1. All approved certified local governments are eligible to receive funds from the certified local government share of Georgia's total annual HPF award. However, the Historic Preservation Division is not required to award funds to all governments that are eligible to receive funds.
2. The intent of the certified local government grants is to use HPF assistance to augment rather than replace existing local commitment to historic preservation activities. The uses of such funds must be consistent with the state comprehensive preservation planning process. The Historic Preservation Division will attempt to distribute the monies among maximum numbers of eligible local governments that can produce measurable results and shall attempt a reasonable distribution between urban and rural areas of the state and shall ensure that no CLG will receive a disproportionate share of the allocation.
3. Projects will be selected for funding through a competitive application process. The amount awarded to any applicant must be sufficient to produce a specific result. The funds must be sufficient to generate effects directly as a result of the grant to the local government. The requirement for producing measurable results may not be waived for otherwise eligible applicants.
4. The awarding of HPF monies to certified local governments is a component of the established Survey and Planning (S & P) and Acquisition and Development (A & D) subgrant programs as administered by the Historic Preservation Division. The standard S & P and A & D applications for Historic Preservation Fund grants must be used to apply for certified local government subgrants. In doing so it is possible to supplement CLG projects within the established S & P and A & D subgrant program.

III. B. MINIMUM ADMINISTRATIVE REQUIREMENTS

1. Local governments receiving funds from the CLG share in Georgia will be considered subgrantees of the state.
2. CLG subgrants must comply with all federal, state, and departmental regulations as developed by the Historic Preservation Division for participation in the regular S & P and A & D subgrant program.
3. A local government receiving CLG funds in Georgia must:
 - a. Maintain adequate financial management systems, which shall be:
 - (1) In accordance with the standards specified in Office of Management and Budget (OMB) Circular A-102,
 - (2) Attachment G, "Standards for Grantee Financial Management systems;" and
 - (3) Auditable in accordance with the General Accounting Office's "Standards for Audit of Government Organization, Programs, Activities, and Functions."
 - b. Adhere to all requirements of the "Historic Preservation Fund Grants Manual".
 - (1) Indirect costs may be charged as part of the CLG grant only if the CLG subgrantee meets the requirements of the Manual;
 - (2) Unless the CLG subgrantee has a current indirect cost rate approved by the cognizant Federal agency, only direct costs may be charged.
 - c. Adhere to any requirements mandated by the Congress regarding the use of such funds.
 - d. Properly account, through financial audit, for CLG subgrants in accordance with OMB Circular A-133, "Audit Requirements."
4. Subgrants awarded to certified local governments must be matched on a 60% federal - 40% local basis and are reimbursable. CLG grants cannot be applied as matching share for other federal grants.

5. All publications, studies, reports, presentations, films, exhibits or other material prepared with grant assistance must acknowledge federal aid substantially as follows:

This publication has been financed in part with federal funds from the National Park Service, U.S. Department of the Interior, through the Historic Preservation Division of the Georgia Department of Community Affairs. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior or the Georgia Department of Community Affairs, nor does the mention of trade names, commercial products or consultants constitute endorsement or recommendation by these agencies. This program received Federal financial assistance for identification and protection of historic properties. Under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, as amended, the U.S. Department of the Interior prohibits discrimination on the basis of race, color, national origin, age, gender or disability in its federally-assisted programs. If you believe you have been discriminated against in any program, activity, or facility as described above, or if you desire further information, please write to: Office for Equal Opportunity, National Park Service, 1849 C Street, NW, Washington, DC 20240.

Publicity for the project must acknowledge federal and state assistance. Consistent failure to acknowledge federal assistance may result in termination of the grant-in-aid.

6. A grant contract detailing local government and Historic Preservation Division responsibilities and describing the project work, costs, and project period will be executed between the Georgia Department of Community Affairs and the certified local government. The Historic Preservation Division requires that all grant recipients prepare formal contracts with any consultants or contractors they use and that the process of consultant selection and copies of consultant contracts be reviewed by the Historic Preservation Division.
7. At the conclusion of the project period, a completion report detailing activities undertaken and project results will be required. Appropriate Historic Preservation Division staff will work closely with the certified local governments during the project period to assure compliance of project work to professional standards and administrative requirements.

III. C. ELIGIBLE PROJECTS

1. Projects funded with CLG subgrants must be activities that are eligible for Historic Preservation Fund assistance.
2. Eligible grant activities that can be funded through the S & P subgrant program for CLGs include:
 - a. Historic resource field surveys for areas not previously surveyed, areas partially surveyed, or for areas that require an update to an existing survey.
 - b. National Register nominations for historic districts or multiple resource areas, nominations for archaeological sites, or amendments to existing districts or multiple resource areas. Nominations for individual properties are not eligible.
 - c. Archaeological surveys or data collection of a non-site specific nature that will lead to the addition of information that will augment the body of archaeological data.
 - d. Comprehensive preservation planning grant activities, including the formulation of architectural guidelines, reevaluation and strengthening of local historic preservation ordinances, and preservation plans.
 - e. Innovative/Demonstrative projects which address a particular preservation problem or concern, but which do not fall under one of the other categories; for example, specific technical problems, information, and education activities.
3. Eligible grant activities that can be funded through the A & D subgrant program for CLGs include:
 - a. Predevelopment projects such as site-specific architectural, engineering, or historic resource studies, or plans and specifications.
 - b. Development projects such as rehabilitation or restoration of National Register-listed properties.
4. Particular or unusual local needs of certified local governments will be considered in assessing project eligibility.

III. D. SELECTION CRITERIA

1. Information on the selection criteria, rating system, and other aspects of the selection process will be included in the grant application material and made available to local governments at least thirty (30) business days before the application deadline.
2. Applications will be reviewed and recommended for funding by the Historic Preservation Division. Reviews will be based on established selection criteria and on an established rating system which judges the adequacy of the project planning documentation, the needs of the project in terms of state priorities, general project administration, appropriate methodology, and distribution among types of projects. Projects producing professional, well-planned results, using accepted state and federal techniques, are expected.
3. Applications will be scored according to staff evaluations based on a point system. The point system may vary depending on federal and state priorities, and needs for the fiscal year.
4. Applications will be recommended for funding based on their ranking from the grant criteria, representation of a particular type of project, geographic distribution, or other factors, as appropriate in any given fiscal year. The Historic Preservation Division will make recommendations to the Commissioner of the Department of Community Affairs who will make the final selection.
5. The rationale for the applications selected and the amounts awarded will be available upon request.

III. E. GRANT CYCLE

The following chronology provides an anticipated outline to assure timely project work activities and to maintain project eligibility for funding. Exact dates may vary from year to year based on the date of the federal allocation.

1. March 1
 - Applications submitted to Historic Preservation Division.
 - Incomplete or ineligible applications will be returned.
2. April 1
 - Recommendations for funding made by Historic Preservation Division.
3. April 15
 - Final approval of grants made by the Department of Community Affairs.
 - Recipients announced and notified.
4. June 1
 - Contracts are signed.

- Actual project work begins.
5. June 1 - May 31 (12 month period)
 - Project work underway.
 - Historic Preservation Division monitors work (on-going during grant period).
 - Partial reimbursements made (on-going during grant period).
 - Draft Reports reviewed.
 6. August 15 (of following year)
 - Project work completed.
 - Historic Preservation Division final review.
 - Completion report processed.
 - Final reimbursement requests processed.

Chapter IV

THE GEORGIA HISTORIC PRESERVATION ACT

Georgia Historic Preservation Act

44-10-1 Chapter 10: Historic Preservation44-10-1

Article 1: Facade and Conservation Easements

Section:

- 44-10-1. Short Title
- 44-10-2. Definitions
- 44-10-3. Legislative purpose and intent
- 44-10-4. Acquisition by governmental bodies, etc.; nature and duration of easements
- 44-10-5. Form of instrument conveying easements; recording; assessment to reflect encumbrance; appeal

Article 2: Ordinances Providing for Historical Preservation

Section

- 44-10-20. Short title
- 44-10-21. Legislative purpose; intent
- 44-10-22. Definitions
- 44-10-23. Exemptions
- 44-10-24.1. Historic Preservation Commission - Establishment or designation; number, eligibility, and terms of members
- 44-10-25. Same - Powers and duties
- 44-10-26. Designation by ordinance of historic properties or districts; required provisions; investigation and report; submittal to Department of Community Affairs; notice and hearing; notification of owners
- 44-10-27. Certificate of Appropriateness – when required; local or state actions
- 44-10-28. Same – Review of applications; procedure; approval; modification or rejection; negotiations for acquisitions; variances; appeals
- 44-10-29. Certain changes or uses not prohibited
- 44-10-30. Court action or proceedings to prevent improper changes or illegal acts or conduct
- 44-10-31. Violations of this article; penalties

ARTICLE 2

ORDINANCES PROVIDING FOR HISTORICAL PRESERVATION

44-10-20. Short Title

This article shall be known and may be cited as the “Georgia Historic Preservation Act.”
(Ga. L. 1980, p. 1723, section 1.)

44-10-21. Legislative purpose; intent.

The General Assembly finds that the historical, cultural, and aesthetic heritage of this state is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity, and general welfare of the people. Therefore, in order to stimulate the revitalization of central business districts in this state’s municipalities, to protect and enhance this state’s historical and aesthetic attractions to tourists and visitors and thereby promote and stimulate business in this state’s cities and counties, to encourage the acquisition by cities and counties of facade and conservation easements pursuant to Code Sections 44-10-1 through 44-10-5, and to enhance the opportunities for federal tax relief of this state’s property owners under the relevant provisions of the Tax Reform Act of 1976 allowing tax deductions for rehabilitation of certified historic structures, the General Assembly establishes a uniform procedure for use by each county and municipality in the state in enacting ordinances providing for the protection, enhancement, perpetuation, and use of places, districts, sites, buildings, structures, and works of art having a special historical, cultural, or aesthetic interest or value.
(Ga. L. 1980, p. 1723, section 2.)

U.S. Code - The federal Tax Reform Act of 1976 referred to in this section is codified as 26 U.S.C.A. paragraph 191.

44-10-22. Definitions

As used in this article, the term:

- (1) “Certificate of Appropriateness” means a document approving a proposal to make a material change in the appearance of a designated historic property or of a structure, site, or work of art located within a designated historic district, which document must be obtained from a historic preservation commission before such material change may be undertaken.
- (2) “Commission” means a historic preservation commission created or established pursuant to Code Section 44-10-24.
- (3) “Designation” means a decision by the local governing body of a municipality or county wherein a property or district proposed for preservation is located to designate such property or district as a “historic property” or as a “historic district” and thereafter to prohibit all material changes in appearance of such property or within such district prior to

the issuance of a certificate of appropriateness by the historic preservation commission.

(4) “Exterior architectural features” means the architectural style, general design, and general arrangement of the exterior of a building or other structure, including, but not limited to, the kind or texture of the building material, the type and style of all windows, doors, and signs; and other appurtenant architectural fixtures, features, details, or elements relative to the foregoing.

(5) “Historic district” means a geographically definable area, urban or rural, which contains structures, sites, works of art, or a combination thereof which:

(A) Have special character or special historical or aesthetic interest or value;

(B) Represent one or more periods or styles of architecture typical of one or more eras in the history of the municipality, county, state, or region; and

(C) Cause such area, by reason of such factors, to constitute a visibly perceptible section of the municipality or county.

(6) “Historic preservation jurisdiction,” in the case of a county, means the unincorporated area of the county; and, in the case of a municipality, such term means the area within the corporate limits of the municipality.

(7) “Historic property” means a structure, site or work of art, including the adjacent area necessary for the proper appreciation or use thereof, deemed worthy of preservation by reason of its value to the municipality, county, state, or region for one or more of the following reasons:

(A) It is an outstanding example of a structure representative of its era;

(B) It is one of the few remaining examples of a past architectural style;

(C) It is a place or structure associated with an event or person of historic or cultural significance to the municipality, county, state or region; or

(D) It is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the municipality, county, state, or region.

(8) “Local governing body” means the elected governing body or governing authority of any municipality or county of this state.

(9) “Material change in appearance” means a change that will affect only the exterior architectural features of a historic property or of any structure, site, or work of art within a historic district and may include any one or more of the following:

(A) A reconstruction or alteration of the size, shape, or facade of a historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details, or elements;

(B) Demolition of a historic property;

(C) Commencement of excavation;

(D) A change in the location of advertising visible from the public right of way on any historic property; or

(E) The erection, alteration, restoration, or removal of any building or other structures within a designated historic district, including walls, fences, steps and pavements, or other appurtenant features, except exterior paint alterations.

(10) "Person" includes any natural person, corporation, or unincorporated association. (Ga. L. 1980, p. 1723, section 3.)

44-10-23. Exemptions.

Cities or counties which have adopted ordinances relative to planning and zoning for historic purposes as of March 31, 1980, under authority granted by a local constitutional amendment or by any other means, including cities or counties which have subsequently replaced or amended in whole or in part such ordinances, shall not be required to comply with this article and are authorized to create and regulate historic districts, zones, or sites pursuant to their existing local historic preservation. (Ga. L. 1980, p. 1723, section 12).

44-10-24. Historic preservation commission - Establishment or designation; number, eligibility, and terms of members.

(1) The local governing body of a municipality or county electing to enact an ordinance to provide for the protection, enhancement, perpetuation, or use of historic properties or historic districts shall establish or designate a historic preservation commission. Such local governing body shall determine the number of members of the commission, which shall be at least three, and the length of their terms, which shall be no greater than three calendar years. A majority of the members of any such commission shall have demonstrated special interest, experience, or education in history or architecture; all the members shall reside within the historic preservation jurisdiction of their respective municipality or county except as otherwise provided by subsection (b) of this Code section; and all shall serve without compensation. In establishing such a commission and making appointments to it, a local governing body may seek the advice of any state or local historical agency, society, or organization.

(2) The local governing body of a county and the local governing body or bodies of one or more municipalities lying wholly or partially within such county may establish or designate a joint historic preservation commission. If a joint commission is established, the local

governing bodies of the county and the municipality or municipalities involved shall determine the residence requirements for members of the joint commission. (Ga. L. 1980, p. 1723, section 4.)

44-10-25. Same - Powers and duties.

Any municipal, county, or joint historic preservation commission appointed or designated pursuant to Code Section 44-10-24 shall be authorized to:

- (1) Prepare an inventory of all property within its respective historic preservation jurisdiction having the potential for designation as historic property;
- (2) Recommend to the municipal or county local governing body specific places, districts, sites, buildings, structures, or works of art to be designated by ordinance as historic properties or historic districts;
- (3) Review applications for certificates of appropriateness and grant or deny the same in accordance with Code Section 44-10-28;
- (4) Recommend to the municipal or county local governing body that the designation of any place, district, site, building, structure, or work of art as a historic property be revoked or removed;
- (5) Restore or preserve any historic properties acquired by the municipality or county;
- (6) Promote the acquisition by the city or county governing authority of facade easements and conservation easements in accordance with Code Sections 44-10-1 through 44-10-5;
- (7) Conduct an educational program on historic properties located within its historic preservation jurisdiction;
- (8) Make such investigations and studies of matters relating to historic preservation as the local governing body or the commission itself may from time to time deem necessary or appropriate for the purposes of this article;
- (9) Seek out state and federal funds for historic preservation and make recommendations to the local governing body concerning the most appropriate use of any funds acquired;
- (10) Consult with historic preservation experts in the Historic Preservation Division of the Department of Community Affairs or its successor and the Georgia Trust for Historic Preservation, Inc.; and
- (11) Submit to the Historic Preservation Division of the Department of Community Affairs or its successor a list of historic properties or historic districts designated as such pursuant to Code Section 44-10-26. (Ga. L. 1980, p. 1723, section 5 .)

44-10-26. Designation by ordinance of historic properties or districts; required provisions; investigation and report; submittal to Department of Community Affairs; notice and hearing; notification of owners.

(1) Ordinances adopted by local governing bodies to designate historic properties or historic districts shall be subject to the following requirements:

(A) Any ordinance designating any property as a historic property or any district as a historic district shall require that the designated property or district be shown on the official zoning map of the county or municipality adopting such ordinance or that, in the absence of an official zoning map, the designated property or district be shown on a map of the county or municipality adopting such ordinance and kept by the county or municipality as a public record to provide notice of such designation in addition to other notice requirements specified by this Code section.

(B) Any ordinance designating any property as a historic property shall describe each property to be designated, shall set forth the name or names of the owner or owners of the property, and shall require that a certificate of appropriateness be obtained from the historic preservation commission prior to any material change in appearance of the designated property; and

(C) Any ordinance designating any district as a historic district shall include a description of the boundaries of the district, shall list each property located therein, shall set forth the name or names of the owner or owners of each property, and shall require that a certificate of appropriateness be obtained from the historic preservation commission prior to any material change in appearance of any structure, site, or work of art located within the designated historic district.

(2) No ordinance designating any property as a historic property and no ordinance designating any district as a historic district nor any amendments thereto may be adopted by the local governing body nor may any property be accepted or acquired as historic property by the local governing body until the following procedural steps have been taken:

(A) The commission shall make or cause to be made an investigation and shall report on the historic, cultural, architectural, or aesthetic significance of each place, district, site, building, structure, or work of art proposed for designation or acquisition. This report shall be submitted to the Historic Preservation Division of the Department of Community Affairs., or its successor, which will be allowed 30 business days to prepare written comments concerning the report;

(B) The commission and the local governing body shall hold a public hearing on the proposed ordinance. Notice of the hearing shall be published at least three times in the principal newspaper of general circulation within the municipality or county in which the property or properties to be designated or acquired are located; and written notice of the hearing shall be mailed by the commission to all owners and occupants of such properties. All the notices shall be published or mailed not less

than ten nor more than 20 business days prior to the date set for the public hearing;
and

(C) Following the public hearing, the local governing body may adopt the ordinance as prepared, adopt the ordinance with any amendments it deems necessary, or reject the proposal.

(3) Within 30 business days immediately following the adoption of the ordinance, the owners and occupants of each designated structure, site, or work of art located within a designated historic district shall be given written notification of such designation by the local governing body, which notice shall apprise said owners and occupants of the necessity for obtaining a certificate of appropriateness prior to undertaking any material change in the appearance of the historic property designated or within the historic district designated. (Ga. L. 1980, p. 1723, section 6.)

44-10-27. Certificate of Appropriateness - When required; local or state actions.

(1) After the designation by ordinance of a historic property or of a historic district, no material change in the appearance of the historic property or of a structure, site, or work of art within the historic district shall be made or be permitted to be made by the owner or occupant thereof unless and until application for a certificate of appropriateness has been submitted to and approved by the commission. Such application shall be accompanied by such drawings, photographs, or plans as may be required by the commission.

(2) The Department of Transportation and any contractors, including cities and counties, performing work funded by the Department of Transportation are exempt from this article. Local governments are exempt from the requirement of obtaining certificates of appropriateness; provided, however, that local governments shall notify the commission 45 business days prior to beginning any undertaking that would otherwise require a certificate of appropriateness and allow the commission an opportunity to comment. (Ga. L. 1980, p. 1723, section 7.)

44-10-28. Same - Review of application; procedure; approval, modification, or rejection; negotiations for acquisitions; variances; appeals.

(1) Prior to reviewing an application for a certificate of appropriateness, the commission shall take such action as may be reasonably required to inform the owners of any property likely to be affected materially by the application and shall give the applicant and such owners an opportunity to be heard. In cases where the commission deems it necessary, it may hold a public hearing concerning the application.

(2) The commission shall approve the application and issue a certificate of appropriateness if it finds that the proposed material change in appearance would not have a substantial adverse effect on the aesthetic, historical, or architectural significance and value of the historic property or the historic district. In making this determination, the commission shall consider, in addition to any other pertinent factors, the historical and architectural value and

significance; architectural style; general design, arrangement, texture, and material of the architectural features involved; and the relationship thereof to the exterior architectural style and pertinent features of other structures in the immediate neighborhood.

(3) In its review of applications for certificates of appropriateness, the commission shall not consider interior arrangement or uses having no effect on exterior architectural features.

(4) The commission shall approve or reject an application for a certificate of appropriateness within 45 business days after the filing thereof by the owner or occupant of a historic property or of a structure, site, or work of art located within a historic district. Evidence of approval shall be by a certificate of appropriateness issued by the commission. Failure of the commission to act within the 45 day period shall constitute approval, and no other evidence of approval shall be needed.

(5) In the event the commission rejects an application, it shall state its reasons for doing so and shall transmit a record of such action and the reasons therefore, in writing, to the applicant. The commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if he so desires, may make modification to the plans and may resubmit the application at any time after doing so.

(6) In cases where the application covers a material change in the appearance of a structure which would require the issuance of a building permit, the rejection of an application for a certificate of appropriateness by the commission shall be binding upon the building inspector or other administrative officer charged with issuing building permits; and, in such a case, no building permit shall be issued.

(7) Where such action is authorized by the local governing body and is reasonably necessary or appropriate for the preservation of a unique historic property, the commission may enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise of the property or any interest therein.

(8) Where, by reason of unusual circumstances, the strict application of any provision of this article would result in exceptional practical difficulty or undue hardship upon any owner of any specific property, the commission, in passing upon applications, shall have the power to vary or modify strict adherence to the provisions or to interpret the meaning of the provision so as to relieve such difficulty or hardship; provided, however, that such variance, modification, or interpretation shall remain in harmony with the general purpose and intent of the provisions so that the architectural or historical integrity or character of the property shall be conserved and substantial justice done. In granting variations, the commission may impose such reasonable and additional stipulations and conditions as will in its judgment best fulfill the purpose of this article.

(9) The commission shall keep a record of all applications for certificates of appropriateness and of all its proceedings.

(10) Any person adversely affected by any determination made by the commission relative to

the issuance or denial of a certificate of appropriateness may appeal such determination to the governing body of the county or municipality in whose historic preservation jurisdiction the property in question is located; and such governing body may approve, modify and approve, or reject the determination made by the commission if the governing body finds that the commission abused its discretion in reaching its decision. The ordinances adopted in conformity with Code Section 44-10-26 shall specify the procedures for the review of decisions of the commission by the governing body of the county or municipality involved. Appeals from decisions of the governing body made pursuant to this article may be taken to the superior court in the manner provided by law for appeals from a conviction for municipal or county ordinance violations (Ga. L. 1980, p. 1723, section 8.).

44-10-29. Certain changes or uses not prohibited.

Nothing in this article shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in or on a historic property, which maintenance or repair does not involve a material change in design, material, or outer appearance thereof, nor to prevent any property owner from making any use of his property not prohibited by other laws, ordinances, or regulations. (Ga. L. 1980, p. 1723, section 9.)

44-10-30 Court action or proceedings to prevent improper changes or illegal acts of conduct.

The municipal or county governing body or the historic preservation commission shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in the appearance of a designated historic property or historic district, except those changes made in compliance with the provisions of an ordinance adopted in conformity with this article, or to prevent any illegal act or conduct with respect to such historic property or historic district. (Ga. L. 1980, p. 1723, section 11.)

44-10-31. Violation of this article; penalties.

Violation of any ordinance adopted in conformity with this article shall be punished in the same manner as provided by charter or local law for the punishment of violations of other validly enacted municipal or county ordinances. (Ga. L. 1980, p. 1723, section 10.)

Chapter V

ATTACHMENTS

Application for Certification

GEORGIA CERTIFIED LOCAL GOVERNMENT PROGRAM

Instructions:

- Use official application form or follow application format if creating a new document. Feel free to attach additional pages.
- Submit two (2) complete sets of application materials. Make sure all forms are signed. Incomplete applications will be returned.

Mail both forms to:

Georgia Department of Community Affairs
Historic Preservation Division
60 Executive Park South NE
Atlanta, GA 30329

Local Government: _____ Regional Commission: _____

County: _____ Congressional
District: _____

Title/Name of
Chief Elected _____
Mailing Address: _____
City, State, Zip: _____
Telephone: _____

Name of Historic
Preservation
Commission: _____

Name of HPC
Contact Person: _____
Title: _____

Mailing Address: _____
Telephone: _____
Email: _____

HPC Meeting Place
& Time: _____
HPC Chair: _____

ATTACH ADDITIONAL PAGES AS NECESSARY

1. Briefly describe how the membership requirements for historic preservation commissions as outlined in *Procedures: Georgia Certified Local Government Program*; II.B.2a, (pg. 9), have been satisfied. Be sure to address to what extent professionals are available in the community and the positive involvement in historic preservation of the professional members.

2. Briefly describe your system for survey and inventory of local historic resources.

3. Briefly describe how the local government intends to participate in the National Register Program and detail how public participation requirements will be carried out in the local government's review of National Register nominations.

4. Briefly describe why you are seeking certification.

5. Are you planning to apply for CLG subgrants? Yes ☐ No ☐

If yes, briefly describe the purpose of the proposed CLG subgrant request.

Attach the following documents if applicable which are considered part of the application:

6. A letter of request for certification from the chief elected official.
(A sample letter is included in this application.)
7. Copies of all historic preservation ordinances that have been adopted by the local governing body.
8. A map(s) clearly defining the boundaries of all historic districts designated by local ordinance and/or showing the location of any locally designated historic property.
9. A sample copy of the historic resource survey and inventory form currently being used.
10. A copy of the rules of procedure for the historic preservation commission.
11. A copy of any guidelines for the decisions made by the historic preservation commission (In the absence of formal guidelines, include a written description of how the commission's decisions are made).
12. A sample public notice of the historic preservation commission's meeting.
13. A sample copy of the agenda and minutes of a commission meeting.
14. A sample notice of the commission's decision to an applicant.
15. A list of commission members including officers. Provide a Resume Form for each member (a sample form is included in this application).

*I certify that I have read **Procedures; Georgia Certified Local Government Programs** and agree to comply with all terms and conditions set forth therein.*

Chief Elected Official

Date

Historic Preservation Commission Members Resume Form

GEORGIA CERTIFIED LOCAL GOVERNMENT PROGRAM

Local Government: _____

Name of Commission: _____

Member's Name: _____

Mailing Address: _____

City, State, Zip: _____

Home Address (if different): _____

City, State, Zip: _____

Telephone: (Business) _____

(Residence) _____

Email Address: _____

Term of Membership: _____ Term Expires: (Date) _____

Occupation: _____

Professional Discipline: _____

(If satisfying a membership requirement)

Demonstrated interest in Historic Preservation (i.e., conferences attended, organizations, special training, courses taken, volunteer activities, or job experience)

Sample Letter of Request for Certification from Chief Elected Official

Jennifer Dixon, Director and Deputy State Historic Preservation Officer
Georgia Department of Community Affairs
Historic Preservation Division
60 Executive Park South NE
Atlanta, GA 30329

Dear Ms. Dixon:

The (City/County of) _____ hereby submits its application to become a Certified Local Government as provided for in the National Historic Preservation Amendments Act of 1980.

As the chief elected official of _____, I understand that it will be necessary for our local government to satisfy the minimum requirements for certification as spelled out in Georgia's Procedures for the Certified Local Government Program. Accompanying this letter are all the documents as requested on the application for certification. Should you need any additional materials or have any questions, please call (name) _____ at (telephone number) _____.

Sincerely,

(Name of Chief Elected Official)
(Title)

Attachments

Resources for Historic Preservation Commission Members and Staff

Georgia Historic Preservation Division Department of Community Affairs

Address: 60 Executive Park South NE
Atlanta, GA 30329

Contact: outreach@dca.ga.gov

Website: www.georgiashpo.org

National Park Service Certified Local Government Program

Address: 1201 "Eye" Street, NW (2256)
Washington, DC 20005

Contact: Megan Brown
megan_brown@nps.gov
Phone: 202.354.2062

Website: www.nps.gov

National Alliance of Preservation Commissions

Address: P.O. Box 1011
Virginia Beach, VA 23451

Contact: Stephanie Paul
director@napcommissions.org
Phone: 757-802-4141

Website: www.napcommissions.org

Georgia Alliance of Preservation Commissions

Address: PO Box 1453
Flowery Branch, Georgia 30542

Contact: gapc2009@gmail.com

Website: www.georgiahpcs.org

National Trust for Historic Preservation

Address: 1785 Massachusetts Avenue, NW
Washington, DC 20036

Phone: 202.588.6000
Fax: 202.588.6038

Website: www.savingplaces.org

Georgia Trust for Historic Preservation

Address: 1516 Peachtree Street, NW
Atlanta, Georgia 30309

Phone: 404.881.9980
Fax: 404.875.2205

Website: www.georgiatruster.org

Related Information

Preservation Month:

The month of May is National Preservation Month. Established in 1973 by the National Trust for Historic Preservation, National Preservation Month provides an opportunity for citizens of all ages to recognize the important role that historic preservation plays in individual lives and in communities. Each May, thousands of people throughout the nation participate in planned events that promote historic places, inspire national and community pride, and highlight the social and economic benefits of historic preservation.

The Georgia Historic Preservation Division (HPD) sponsors several events throughout the month, including lecture series on preservation best practices and emerging topics. An annual online photography contest challenges participants to submit photos of historic structures or landscapes associated with a chosen theme. HPD staff also attends and supports numerous local preservation events in communities across Georgia.

Training Opportunities

Opportunities for historic preservation commission (HPC) training are held throughout the year in the form of training sessions, statewide meetings, workshops, and conferences. HPC training is a Georgia Historic Preservation Division (HPD) requirement for Certified Local Government HPC members, who must attend training once every three-year term appointment. Training is highly encouraged for any new HPC member and is required for HPC members of any newly-established commission.

If you have any questions regarding upcoming training or anything program-related, please feel free to contact outreach@dca.ga.gov.



Mayor: Craig Newton • **Mayor Pro Tem:** Marshall Cheek • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Bruce Gaynor • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

Jennifer Dixon, Director and Deputy State Historic Preservation Officer

Georgia Department of Community Affairs

Historic Preservation Division

60 Executive Park South NE

Atlanta, GA 30329

Dear Ms. Dixon,

The City of Norcross submits its application to become a Certified Local Government as provided for in the National Historic Preservation Amendments Act of 1980.

As the chief elected official of the City of Norcross, I understand that it will be necessary for our local government to satisfy the minimum requirements for certification as spelled out in Georgia's Procedures for the Certified Local Government Program. Accompanying this letter are all the documents as requested on the application for certification. Should you need any additional materials or have any questions, please call Jalia Killings, jalia.killings@norcrossga.net, at (770) 274 0175.

Sincerely,

Craig Newton

Mayor, City of Norcross

Certified Local Government Program: Preservation through Local Planning

Preservation activity occurs first at the local level; therefore, a community is in the best position to identify and protect its own resources. The Certified Local Government (CLG) program assists local governments with integrating historic preservation concerns into local planning decisions. Joining the CLG program is an important and effective way to preserve Georgia's historic places.

With the National Historic Preservation Act of 1966, a federal and state partnership was initiated that created a national preservation program. The CLG program extends that federal and state preservation partnership to the local level. It enhances the local government role in preservation by strengthening a community's preservation program and its link with HPD.

In Georgia, the CLG program builds upon the longstanding working relationship between HPD and the local governments by expanding the scope of local responsibilities and opportunities for preservation. Any city, town, or county that has enacted an historic preservation ordinance, enforces that ordinance through a local preservation commission, and has met requirements outlined in the Procedures for Georgia's Certified Local Government Program, is eligible to become a CLG.

What are the benefits of becoming a CLG?

Once certified, a local government becomes eligible to:

- Apply for federal historic preservation grant funds only available to CLGs.
- Participate directly in the National Register of Historic Places program by reviewing local nominations prior to the GA National Register Review Board.
- Access technical assistance in the form of training sessions, information material, statewide meetings, workshops and conferences.
- Participate in partnerships among local, state, and federal preservation groups and organizations.

For more information, visit www.dca.ga.gov/georgia-historic-preservation-division, or contact Sandra Hall, Certified Local Government Coordinator, at Sandra.Hall@dca.ga.gov.



Mayor: Craig Newton • **Mayor Pro Tem:** Marshall Cheek • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Bruce Gaynor • **City Manager:** Eric Johnson • **City Clerk:** Monique Philip

AGENDA REPORT

To: Mayor and Council

From: David Versel, Economic Development Director

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No.: 2025-277

Title: Updated Intergovernmental Agreement for Norcross City Center East TAD

CC: Eric Johnson, City Manager

Recommendation

Approve a modification of the April 1, 2016 Tax Allocation District (TAD) Intergovernmental Agreement (IGA) between the City of Norcross and Gwinnett County to extend the IGA through December 31, 2032.

Background

The City of Norcross and Gwinnett County entered into an Intergovernmental Agreement (IGA) with an effective date of April 1, 2016 to utilize County property tax revenue to fund projects within the Norcross City Center East Tax Allocation District (TAD). The 27.65-acre TAD is roughly bounded on the east side by Mitchell Road, Buford Highway on the south, Carlyle Street at the west, and South Peachtree Street/College Street/Lawrenceville Street to the north – a map of the TAD is provided below.



Per the original IGA, the City of Norcross was required to begin construction on at least one development project within the TAD by December 31, 2022, or the IGA would automatically expire, and the County's share of TAD monies would have to be returned to the County. The IGA was extended in 2022, with a new expiration date of December 31, 2024. Since the City did not begin construction on any TAD-funded projects by that date, the IGA is no longer in effect.

TAD (known as tax increment financing or TIF in other states), is an economic development tool designed to spur economic activity in underdeveloped areas. In short, a TAD is a defined geographic area where real estate property tax monies gathered above a certain threshold for a certain period of time can be used to fund specified improvements. Per Gwinnett County's Tax Allocation District Policies and Guidelines: "Requests for the use of TAD financing should clearly demonstrate a substantial public benefit and the manner by which an applicant proposes to eliminate blight, reduce crime, strengthen the employment and economic base of the County, increase property values and tax revenues, decrease poverty, create economic opportunity, and/or redevelop underperforming neighborhoods and underutilized commercial lots"

City staff, in collaboration with the Downtown Development Authority, has identified multiple projects located within the existing TAD boundary that would likely qualify for the use of TAD funds. These include:

- Completion of the Skin Alley Extension to the south of Holcomb Bridge Road
- Public parking to support the South End and Magnolia Grove developments
- Infrastructure improvements to support the future development of parcels around Lillian Webb Park
- Potential future acquisition of redevelopment parcels

In order to retain the TAD funds that have already been collected and to preserve the option of using future TAD funds, the City will need to enter into a new IGA with Gwinnett County. The recommended changes to the IGA were reviewed by the City Attorney and presented to Gwinnett County. In an email dated October 7, 2025, Matthew Elder, Deputy Director of Planning and Development for Gwinnett County stated: "I have heard back from our Legal Department and the good news is that we can restart and extend the existing IGA through City Council and Board of Commissioners action. The proposed IGA Modification you sent over is approved to move forward...We will need the City Council to take action to approve and execute the IGA Modification and then the County will act to approve and execute."

Financial Impact

The City of Norcross TAD fund currently contains about \$400,000 in total revenue. Some of this revenue would need to be returned to Gwinnett County if the IGA is not reinstated. Additionally, as development continues to occur within the TAD, there would be additional revenue added to the TAD fund, which could, in turn, be used to leverage millions of dollars in private investment.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

1. Continues to define Norcross' sense of place
2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment
4. Maintains a Vibrant Economy and Continue to Facilitate Job Growth
5. Ensures that Norcross Residents have a Variety of Attainable, Quality Housing Options

Attachments

1. TAD IGA between City of Norcross and Gwinnett County, effective April 1, 2016
2. Proposed Modifications to the IGA

Next Steps

Execute IGA and send to Gwinnett County for BOC approval.

INTERGOVERNMENTAL AGREEMENT

This INTERGOVERNMENTAL AGREEMENT ("Agreement"), is made and entered into as of this 1st day of April, 2016 (the "Effective Date") by and between the CITY OF NORCROSS, GEORGIA, a municipal corporation of the State of Georgia (the "City") and the GWINNETT COUNTY BOARD OF COMMISSIONERS, the duly elected governing authority of a political subdivision of the State of Georgia (the "County").

W I T N E S S E T H:

In consideration of the respective representations and agreements hereinafter contained and in furtherance of the mutual public purposes hereby sought to be achieved, the City and the County do hereby agree as follows:

ARTICLE 1

DEFINITIONS

In addition to the words and terms defined elsewhere herein, the following words and terms shall have the meanings specified below, unless the context or use indicates another or different meaning or intent:

1.1 "Agreement" or "Intergovernmental Agreement" means this Intergovernmental Agreement, dated as of the Effective Date, between the City and the County.

1.2 "Approved Projects" means, collectively, the Projects recommended to the City for TAD financing by the City's Redevelopment Agency to be undertaken within the City of Norcross Tax Allocation District Number One – City Center East, by the City and/or by the owners or developers of the subject property to achieve the goals and objectives of the Redevelopment Plan.

1.3 "Bond Indenture" means, collectively and each respectively, each Trust Indenture, Bond Resolution, Bond Ordinance, Loan Agreement, Financing Agreement or other document pursuant to which one or more series of TAD financing is issued.

1.4 "City" means the City of Norcross, Georgia, a municipal corporation of the State of Georgia.

1.5 "City Resolution" means that specific Resolution adopted by the Norcross City Council on April 6, 2015 adopting City of Norcross Downtown Norcross Redevelopment Plan and establishing the Tax Allocation Increment Base for the City of Norcross Tax Allocation District Number One – City Center East.

1.6 "Commencement of Construction of Significant Projects" means that one or more building permits shall have been issued for and construction or renovation shall have commenced on, one or more significant structural components of one or more of the Approved Projects in the Redevelopment Plan, which construction constitutes at least 5% of the total project cost and which are anticipated to generate Tax Allocation Increments as estimated in the Redevelopment Plan.

1.7 **"County"** means Gwinnett County, Georgia, a political subdivision of the State of Georgia.

1.8 **"County Resolution"** means that certain resolution adopted by the Board of Commissioners of the County on March 22, 2016, inter alia, consenting to the inclusion of certain County ad valorem taxes in computation of the Tax Allocation Increment with respect to the TAD subject to the terms and conditions set forth therein and herein, authorizing the execution, delivery and performance of this Agreement, and other related matters.

1.9 **"County Tax Allocation Increment"** means that portion of the Tax Allocation Increment, computed in accordance with O.C.G.A. §36-44-3(14) in each calendar year, attributable to the County's portion of the ad valorem taxes for such calendar year. The total millage rate used for computation of future County Tax Allocation Increments shall be calculated as the sum of the "General Fund," "Fire and EMS," and "Recreation" millage charged within the City limits of Norcross.

1.10 **"Initial Financing Period"** means up to a 25-year period from the Effective Date.

1.11 **"Norcross City Center East TAD" or "TAD"** means that certain tax allocation district (as defined in O.C.G.A. §36-44-3(13)) created by the City pursuant to the City Resolution, and designated as the "City of Norcross Tax Allocation District – City Center East," as more fully identified in the applicable Redevelopment Plan with respect thereto approved by the City.

1.12 **"Projects"** means those capital improvements (including related professional services costs) undertaken to achieve the goals and objectives of the Redevelopment Plan, as may be presented to the City's TAD Advisory Committee for consideration for TAD Financing, as required by Section 3.8.

1.13 **"Redevelopment Agency"** means the City Council which is the redevelopment agency for the TAD designated by the City of Norcross in accordance with the Redevelopment Powers Law.

1.14 **"Redevelopment Area"** means that certain area located within the geographic limits of the City and within the County created and established as a redevelopment area (as defined in O.C.G.A. §36-44-3(7)) by the City in the City Resolution and designated as the "City of Norcross Tax Allocation District Number One – City Center East," as more fully described in the City Resolution and the Redevelopment Plan.

1.15 **"Redevelopment Plan"** means the written plan of redevelopment for the Redevelopment Area (as defined in O.C.G.A. §36-44-3(9)) approved by the City in the City Resolution, designated as the "Downtown Norcross Redevelopment Plan," and containing the Norcross City Center East TAD.

1.16 **"Redevelopment Powers Law"** means Chapter 44 of Title 36 of the Official Code of Georgia Annotated, as amended from time to time.

1.17 **"Special Fund"** means the special fund with respect to the Norcross City Center East TAD created pursuant to O.C.G.A. §36-44-11(c).

1.18 **"Tax Allocation Increment"** means the amount of positive tax allocation increment with respect to real property accrued in each calendar year within the Norcross City Center East TAD as defined in O.C.G.A. §36-44-3(14).

1.19 **"TAD Financing"** means TAD Bonds issued by the City in accordance with O.C.G.A. §36-44-3(12), funds borrowed from financial institutions in accordance with O.C.G.A. §36-44-16 or revenue bonds issued by the City pursuant to O.C.G.A. §36-44-13(3) with respect to the Norcross City Center East TAD, that the City may issue or borrow as necessary to implement the provisions of the Redevelopment Plan, as provided in the City Resolution, which may include one or more series of bonds, notes or other obligations and which may be issued at one or more times.

1.20 **"Term"** means the term of this Agreement as prescribed in Section 3.1 hereof.

1.21 **"TAD Advisory Committee"** means a committee established by the City of Norcross and Gwinnett County to review and make recommendations to the Norcross City Council regarding future applications of Tax Allocation Increments and/or TAD Financing for Norcross City Center East TAD.

ARTICLE 2

REPRESENTATIONS

2.1 **Representations of the City.** The City makes the following representations as the basis for the undertakings on its part herein contained:

2.1.1 The City created the Urban Redevelopment Plan on April 6, 2009 and the City of Norcross Tax Allocation District Number One – City Center East effective as of April 6, 2015, pursuant to its redevelopment powers as authorized by the Redevelopment Powers Law and the City Resolution. The City duly adopted the Redevelopment Plan pursuant to the Redevelopment Powers Law and the City Resolution.

2.1.2 The City has made certain findings with respect to the Redevelopment Plan in accordance with the Redevelopment Powers Law, including, without limitation, that: (i) the Redevelopment Area has not been subject to growth and development through private enterprise and would not reasonably be anticipated to be developed without the approval of the Redevelopment Plan, and (ii) the improvement of the Redevelopment Area is likely to enhance the value of a substantial portion of the real property in the Norcross City Center East TAD.

2.1.3 The City intends to authorize the issuance of TAD Bonds or other means of TAD financing as may be necessary to implement provisions of the Redevelopment Plan.

2.1.4 The City is permitted by ARTICLE IX, SECTION III, PARAGRAPH I of the Georgia Constitution to contract for any period not exceeding fifty (50) years with the County for joint services, for the provision of services, or for the joint or separate use

of facilities or equipment, provided such contracts deal with activities, services or facilities the contracting parties are authorized by law to undertake or provide.

2.1.5 The City has the power to enter into this Agreement and perform all obligations contained herein, and by proper action has duly authorized the execution, delivery and performance of this Agreement. This Agreement is a valid and binding legal obligation of the City, enforceable against the City in accordance with its terms.

2.1.6 The City agrees to adopt Tax Allocation District Policies and Guidelines consistent with Gwinnett County's Tax Allocation District general policies, guidelines, methods of financing, and maximum term as well as Gwinnett County's Debt Management Policy related to TAD bonds. The City of Norcross further agrees to utilize an application for TAD financing that is consistent and contains the same information as the "Gwinnett County Application for TAD Financing."

2.2 **Representations of the County.** The County makes the following representations as the basis for the undertakings on its part herein contained:

2.2.1 The County is permitted by ARTICLE IX, SECTION III, PARAGRAPH I of the Georgia Constitution to contract for any period not exceeding fifty (50) years with the City for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, provided such contracts deal with activities, services or facilities the contracting parties are authorized by law to undertake or provide.

2.2.2 The County has the power to enter into this Agreement and perform all obligations contained in this Agreement, and by proper action has duly authorized the execution, delivery and performance of this Agreement, including, the pledge of certain ad valorem property taxes levied by the County on taxable real property within the Norcross City Center East TAD in the computation of the Tax Allocation Increments for the purposes set forth in the Redevelopment Plan, pursuant to O.C.G.A. §36-44-9(c).

2.2.3 The County has established certain objectives and promulgated relevant policies for establishing Tax Allocation Districts within unincorporated areas of the County.

2.2.4 The County has determined that the judicious consent to the use of certain Tax Allocation Increment within the Norcross City Center East TAD in furtherance of the Redevelopment Plan is an effective means of assisting with the redevelopment of an economically-challenged area. Such redevelopment will benefit the residents and businesses of Gwinnett County through ameliorating deteriorating areas, expanding the local tax base, and restoring targeted and sustainable growth within the Redevelopment Area.

2.2.5 This Agreement is a valid and binding legal obligation of the County, enforceable against the County in accordance with its terms.

ARTICLE 3

COUNTY TAX ALLOCATION INCREMENT

3.1 **Term of the Agreement.** The term of this Agreement (the "Term") shall commence on the Effective Date, and this Agreement shall remain in full force and effect until: (i) all TAD Financing and eligible Redevelopment Costs have been paid in full; (ii) the Norcross City Center East TAD: has been terminated by Resolution for other reasons; or (iii) twenty-five years have elapsed from the Effective Date, whichever first occurs.

3.2 **Certification of Tax Allocation Increment Base.** The City and the County hereby agree that the Tax Allocation Increment Base for the Norcross City Center East TAD, which will be certified by the State Revenue Commissioner as of December 31, 2015, is the taxable value of all real property subject to ad valorem property taxation located within the TAD, net of all exemptions and exclusions provided by law, in accordance with O.C.G.A 36-44-10.

3.3 **Inclusion of Ad Valorem Property Taxes in Computation of Tax Allocation Increment for Norcross City Center East TAD.**

3.3.1 Pursuant to the County Resolution, the County hereby consents and agrees to the inclusion of County ad valorem taxes on real property within the TAD in the computation of the Tax Allocation Increment for the TAD in accordance with the Redevelopment Powers Law, effective as of December 31, 2015. The total millage rate used for computation of future County Tax Allocation Increments shall be calculated as the sum of the "General Fund," "Fire and EMS," and "Recreation" millage charged within the City limits of Norcross.

3.3.2 Commencing in 2016, the County authorizes the Gwinnett County Tax Commissioner to remit to the City each year during the term of this Agreement, in accordance with the Redevelopment Powers Law, the County Tax Allocation Increment for the TAD for such year within sixty (60) days after the due date for all ad valorem taxes paid by the due date and within sixty (60) days after the end of the year adjustment of the Annual Tax Allocation District Certification as to all such taxes paid after the due date therefore.

3.3.3 During the Initial Financing Period, the County Tax Allocation Increment may be included in TAD Financing of Approved Projects, subject to the terms of this Agreement.

3.3.4 After the Initial Financing Period, a resolution of the County shall be required to authorize the pledge of the County Tax Allocation Increment for additional TAD Financing. Notwithstanding any decision by the County not to pledge the County Tax Allocation Increment beyond the Initial Financing Period, nothing in this Agreement shall obviate or diminish the pledge of the County Tax Allocation Increment toward the repayment of any TAD Financing then outstanding; any pledge of the County Tax Allocation Increment therefore shall remain pledged until such TAD Financing is completely satisfied.

3.3.5 The term of any or each TAD Financing for which the County Tax Allocation Increment is to be pledged shall mature at such time or times not more than 25 years from their respective issuance dates.

3.3.6 Upon the retirement of all outstanding TAD Financing, any funds derived from the County Tax Allocation Increment remaining in the TAD Special Fund after all redevelopment costs have been paid or otherwise satisfied shall be paid to the County within 60 days after the end of the calendar year in the same manner and in the same proportion as the most recent distribution by the County, in accordance with the Redevelopment Powers Law.

3.4 **Issuance of TAD Bonds or other TAD Financing.**

3.4.1 The aggregate principal amount of any and all TAD Financing issued by the City with respect to the TAD shall be determined on the basis of the judgment of qualified professionals as to the projected estimate of the Tax Allocation Increment.

3.4.2 The Commencement of Construction of Significant Projects shall have occurred by no later than December 31, 2022.

3.4.3 In the event the deadline set forth in subsection 3.4.2 is not met, the consent of the County to the inclusion of its ad valorem taxes on real property within the TAD in the computation of the Tax Allocation Increment for the TAD shall automatically terminate as of December 31, 2022, unless the County waives this deadline by Resolution. If the County's consent so terminates, the County's portion of Tax Allocation Increment accumulated and remaining in the Special Fund through such termination date shall be returned to the County by the City within forty-five (45) days after the termination date.

3.5 **Reporting.** Commencing at the beginning of calendar year 2017 and each of the City's fiscal year thereafter, the City will provide to the County, within sixty (60) days after the end of each such fiscal year, a comprehensive annual report and audit regarding the amount of positive Tax Allocation Increment deposited in the TAD Special Fund, the uses of such funds, and the status of all development undertaken within the TAD.

3.6 **Use of County Tax Allocation Increment.** The County Tax Allocation Increment may be used for the following purposes:

3.6.1 Capital costs, including costs incurred for land clearing and grading, real property acquisition (provided said property is acquired for public use), demolition of existing structures, environmental remediation, construction of parking structures and water, sewer, storm water, or communications infrastructure; intersection, transit, transportation and roadway improvements and conference or civic meeting facilities. Capital costs for which the County's increment may be used include infrastructure improvements that are interior to the project site and assist the overall development area. Any additional categories of expenditures for capital costs must be approved by Resolution of the Board of Commissioners.

3.6.2 TAD Financing costs, as authorized by O.C.G.A. §36-44-3(8); and

3.6.3 Professional service costs, imputed administrative costs and organizational costs, as authorized by O.C.G.A. §36-44-3(8).

3.6.4 The County Tax Allocation Increment may not be used or pledged to pay for or reimburse the costs of real property assembly associated with private development on private property.

3.7 **Periodic Review.** Commencing on January 1, 2023, and continuing every three (3) years thereafter, the City and the County agree to cooperatively review the report to determine whether the goals and incremental milestones of the Norcross City Center East TAD as stated in the Redevelopment Plan have been achieved during the previous 3-year period and whether there has been sufficient Tax Allocation Increments generated and deposited into the Special Fund to pay all debt service payments when due on TAD financing, to satisfy all other terms of the Bond Indenture, and meet any other obligations related to TAD financing.

3.8 **TAD Project Approval Process.**

3.8.1 The City agrees to jointly create with Gwinnett County a five-member TAD Advisory Committee, which will review all Projects involving the expenditure of Tax Allocation Increments, and/or all issuances of TAD financing, prior to their consideration for approval by the City Council. Such TAD Advisory Committee shall include three members representing Gwinnett County to include the Chair of the Gwinnett County Board of Commissioners or that official's designee, the County Administrator or that official's designee, and the Gwinnett County Director of Planning & Development or that official's designee as voting members of such Committee, with the same powers and voting rights as all other members of said Committee. In the event that such Advisory Committee contains more than five members, Gwinnett County shall have the right to appoint representatives in the same proportion of representation as it has on the five member advisory committee.

3.8.2 Prior to the issuance of TAD financing for any Project, in whole or in part, with County Tax Allocation Increment, such Project will be reviewed by the TAD Advisory Committee for feasibility and consistency with the objectives of the Redevelopment Plan. Information to be evaluated by the Redevelopment Agency for each proposed Project shall include but is not limited to, experience of the development team, proposed capital improvements to the site, analysis of non-TAD financing commitments or equity in the Project, and Tax Allocation Increment projected to be generated by such Project. Any Project recommended for TAD financing to the City Council first must receive a favorable vote by a simple majority of the TAD Advisory Committee, at which time it will become an Approved Project.

3.8.3 Any proposed amendments to the Redevelopment Plan to materially increase redevelopment costs or materially amend the nature and scope of redevelopment for Norcross City Center East TAD shall be recommended to the City only by majority vote of the TAD Advisory Committee, and by approval of the County Administrator.

Any proposed amendments to the Redevelopment Plan to expand the boundaries of the Redevelopment Area for which the County Tax Allocation Increment is requested to be pledged must be approved by Resolution of the City Council and by Resolution of the Board of Commissioners.

3.9 **TAD Project Financing Limit.** Unless otherwise authorized by the County in writing, no privately developed Project shall receive benefit of the County Tax Allocation Increment from either the TAD Special Fund or from the proceeds of TAD Financing in an amount which exceeds 15% of the total project value. Public facilities in support of the redevelopment plan which are linked to a major private investment are excluded from this limitation.

3.10 **Payment in Lieu of Taxes.** Commencing with remittance of the 2016 County Tax Allocation Increment, if any, the City agrees to make an annual payment in lieu of taxes ("PILOT") to the County, as authorized by O.C.G.A. §36-44-3(8)(G), in an amount which equals the incremental portion of the County Tax Allocation Increment, if any, which accrues from the tax levy for Parks and Recreation collected within the TAD. This payment shall be made by the City to the County within 60 days after the end of the calendar year.

3.11 **Future Request to Include School Increment.** The parties specifically acknowledge that that the City may request the consent of the Gwinnett County Board of Education for the inclusion of certain ad valorem taxes levied for educational purposes on real property within the boundaries of the TAD in the computation of the Tax Allocation Increment for the purposes of paying redevelopment costs. If such request is made, the City shall provide the Gwinnett County Tax Commissioner with the appropriate information.

3.12 **Special Conditions, Stipulations or Requirements.** The City shall promptly notify the County in writing of any special conditions, stipulations or requirements imposed at any time or from time to time hereafter by any other taxing authority with respect to the Tax Allocation Increment and the TAD. If so elected by the County, the County shall be entitled to the benefit of any special conditions, stipulations or requirements imposed with respect to the Tax Allocation Increment and the TAD. The parties hereto hereby agree that this Agreement shall be amended or supplemented to provide for such special financial conditions, stipulations or requirements imposed hereafter if so elected by the County, and the City hereby agrees to enter into any such amendment or supplement to this Agreement required as aforesaid.

3.13 **City's Indemnification of County.** The City hereby agrees to defend and hold harmless the County and its Commissioners, officials, employees, agents and representatives from and against any and all claims, losses, damages, costs or expenses arising from or in connection with any actions, claims, suits or challenges of any kind by reason of or as a result of the sole negligent or willful act or omission of the City or its Redevelopment Agency in the exercise, use, implementation or performance of the City's rights, powers or authority under the Redevelopment Powers Law or the actions of the City or its Redevelopment Agency under this Agreement.

3.14 **Limitation of Obligations.** The County shall have no financial obligation as a result of the redevelopment and improvement of the TAD or the Redevelopment Area other than the inclusion of certain County ad valorem taxes in the computation of the Tax Allocation Increment of the TAD as provided herein. TAD Bonds shall not constitute an indebtedness of or a charge against the general taxing power of the County.

ARTICLE 4

4.1 **Governing Law.** This Agreement and the rights and obligations of the parties hereto shall be governed, construed, and interpreted according to the laws of the State of Georgia.

4.2 **Entire Agreement.** This Agreement expresses the entire understanding and all agreements between the parties hereto with respect to the matters set forth herein.

4.3 **Survival of Warranties.** All agreements, covenants, certifications, representations, and warranties of the parties hereunder, or made in writing by or on behalf of them in connection with the transactions contemplated hereby shall survive the execution and delivery hereof, regardless of any investigation or other action taken by any person relying thereon.

4.4 **Counterparts.** This Agreement may be executed in several counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.

4.5 **Amendments in Writing.** This Agreement may be amended, supplemented or otherwise modified solely by a document in writing duly executed and delivered by the County and the City. No waiver, release, or similar modification of this Agreement shall be established by conduct, custom, or course of dealing, but solely by a document in writing duly executed and delivered by a duly authorized official of the County.

4.6 **Notices.** Except as otherwise specifically provided herein, any notices, demands, approvals, consents, requests, and other communications hereunder shall be in writing and shall be deemed given when the writing is delivered in person, or one business day after being sent by reputable overnight registered delivery service, charges prepaid, or three business days after being mailed, if mailed, by certified mail, return receipt requested, postage prepaid, to the City and the County at the addresses shown below or at such other addresses as may be furnished by the City and the County in writing from time to time:

CITY:

Rudolf Smith
City Manager
65 Lawrenceville Street
Norcross, Georgia 30071
(678) 421-2027

With A Copy to:

Pat O'Brien
City Attorney
Thompson O'Brien Kemp & Nasuti, P.C.
40 Technology Parkway South
Suite 300
Norcross, Georgia 30092
(770) 925-0111 telephone
(770) 925-8597 facsimile

COUNTY:

Glenn Stephens
County Administrator
Gwinnett Justice and Administration Center
75 Langley Drive
Lawrenceville, GA 30046
(770) 822-7000

With A Copy to:

William J. Linkous, III
County Attorney
Gwinnett Justice and Administration Center
75 Langley Drive
Lawrenceville, GA 30046
(770) 822-8707

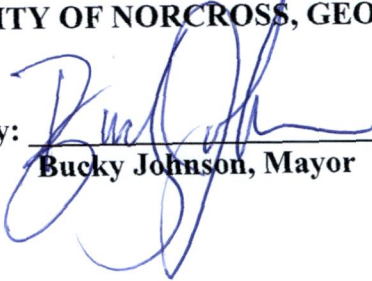
4.7 **Severability.** If any provision of this Agreement shall be held or deemed to be inoperative or unenforceable by a court of competent jurisdiction under any particular circumstances, because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses, or sections contained in this Agreement shall not affect the remaining portions of this Agreement or any part thereof.

4.8 **Limitation of Rights.** Nothing in this Agreement, express or implied, shall give to any person, other than the parties hereto and their successors and assigns hereunder, any benefit or any legal or equitable right, remedy, or claim under this Agreement.

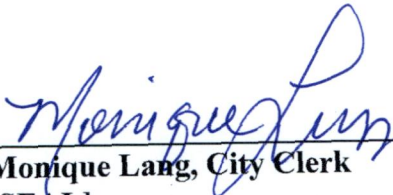
SIGNATURES APPEAR ON SUBSEQUENT PAGES

IN WITNESS WHEREOF, the City and the County have caused this Intergovernmental Agreement to be executed in their respective official names and have caused their respective official seals to be hereunto affixed and attested by their duly authorized officers, all as of the Effective Date set forth hereinabove.

CITY OF NORCROSS, GEORGIA

By: 

Bucky Johnson, Mayor

Attest: 

Monique Lang, City Clerk

[SEAL]



Approved as to Form: 

Pat O'Brien, City Attorney

**GWINNETT COUNTY BOARD OF
COMMISSIONERS**

By: *Charlotte J. Nash*
**Charlotte J. Nash, Commission
Chairman**

Attest:



Diane Kemp, Clerk

[SEAL]

Approved as to Form:

M. Van Stephens

M. Van Stephens, Chief Assistant County Attorney

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

RESOLUTION ENTITLED: **A RESOLUTION CONSENTING TO THE INCLUSION OF GWINNETT COUNTY TAX INCREMENTS IN THE COMPUTATION OF TAX ALLOCATION INCREMENTS FOR THE CITY OF NORCROSS TAX ALLOCATION DISTRICT NUMBER ONE – CITY CENTER EAST**

READING AND ADOPTION:

At the regular meeting of the Gwinnett County Board of Commissioners, held in the Gwinnett Justice and Administration Center Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

Name	Present	Vote
Charlotte J. Nash, Chairman	Yes	Aye
Jace Brooks, District 1	Yes	Aye
Lynette Howard, District 2	Yes	Aye
Tommy Hunter, District 3	Yes	Aye
John Heard, District 4	Yes	Aye

On motion of **Commissioner Howard**, which carried **5-0**, the Gwinnett County Board of Commissioners hereby adopts the following resolution:

**A RESOLUTION OF THE GWINNETT COUNTY BOARD OF COMMISSIONERS
 CONSENTING TO THE INCLUSION OF GWINNETT COUNTY TAX
 INCREMENTS IN THE COMPUTATION OF TAX ALLOCATION INCREMENTS
 FOR THE CITY OF NORCROSS TAX ALLOCATION DISTRICT NUMBER ONE
 – CITY CENTER EAST**

WHEREAS, on April 6, 2015, the City of Norcross adopted the City of Norcross Downtown Norcross Redevelopment Plan and created the City of Norcross Tax Allocation District Number One – City Center East (hereinafter referred to as Norcross City Center East TAD); and

WHEREAS, the City of Norcross created the Norcross City Center East TAD in order to revitalize the downtown area of the City of Norcross; and

WHEREAS, the Mayor and City Council of Norcross have requested that Gwinnett County participate in the funding of certain infrastructure and improvements within the Norcross City Center East TAD; and

WHEREAS, the Gwinnett County Board of Commissioners has reviewed the provisions of the Norcross City Center East TAD and has found that Gwinnett County's consent, in accordance with the provisions of this Resolution, to include certain County ad valorem taxes in the computation of tax allocation increments is in the best interest of Gwinnett County residents; and

WHEREAS, the Gwinnett County Board of Commissioners has determined that it is in the public interest that the area within the Norcross City Center East TAD be redeveloped to the extent practical in order to improve economic and social conditions therein; and

WHEREAS, the Georgia Redevelopment Powers Law authorizes counties to work with the cities to form a more effective partnership with private enterprise to overcome economic limitations that have previously impeded or prohibited redevelopment of certain economically and socially depressed areas; and

WHEREAS, the Gwinnett County Board of Commissioners believes that a more effective partnership involves not only consenting to the inclusion of certain county ad valorem taxes in any tax allocation increments but also consistent TAD policies and active meaningful participation by both the City and the County in a TAD advisory committee.

NOW, THEREFORE, BE IT RESOLVED that the Gwinnett County Board of Commissioners does hereby consent to the inclusion of certain County ad valorem property taxes in the computation of tax allocation increments of the Norcross City Center East TAD to the extent that the property generating such taxes lies within the boundaries of such Tax Allocation District. The total millage rate used for computation of future County Tax Allocation Increments shall be calculated as the sum of the "General Fund," "Fire and EMS," and "Recreation" millage charged within the City limits of Norcross. A complete description of such tax allocation district boundaries and the purposes for which the district has been created are attached hereto as Exhibit "A" and by this reference made a part hereof.

IT IS FURTHER RESOLVED that this consent to the inclusion of certain Gwinnett County ad valorem property taxes in the computation of tax allocation increments of the Norcross City Center East TAD is expressly conditioned upon the City of Norcross' execution of an Intergovernmental Agreement with Gwinnett County prior to the inclusion of any Gwinnett County ad valorem property taxes in the computation of the tax allocation increments for the Norcross City Center East TAD.

IT IS FURTHER RESOLVED that Gwinnett County's consent to the inclusion of certain Gwinnett County ad valorem property taxes is conditioned upon such Intergovernmental Agreement containing the following provisions:

- Gwinnett County shall have the ability to participate in decisions concerning the expenditure of Gwinnett County ad valorem taxes which are included in the computation of tax allocation increments of the Norcross Tax Allocation District Number One – City Center East.
- The City of Norcross shall agree to adopt and implement general TAD policies and guidelines consistent with those of Gwinnett County and shall agree to utilize a TAD Project Application consistent with Gwinnett County's Application.
- The City of Norcross and Gwinnett County shall jointly create a TAD Advisory Committee which shall review all Projects involving the expenditure of any tax allocation increments and/or all issuances of TAD financing. The TAD Advisory Committee shall have five members, which shall include the Chairman of the Gwinnett County Board of Commissioners or designee, the County Administrator or designee, and the Gwinnett County Director of Planning and Development or designee as three of the five voting members. In the event that such Advisory Committee contains more than five members, Gwinnett County shall have the right to appoint representatives in the same proportion of representation as it has in the five member advisory committee.
- The Tax Allocation District shall provide a financial accounting of the types of projects funded and the amount of funds allocated for each project from Gwinnett County ad valorem property taxes included in the computation of tax allocation increments.
- A description of the duration of Gwinnett County's participation in the provision of tax allocation increments to such Tax Allocation District.

IT IS FURTHER RESOLVED that the County Administrator and staff are hereby authorized to take any and all actions necessary to create the Intergovernmental Agreement referenced herein and prepare for the inclusion of certain Gwinnett County ad valorem property taxes in the computation of tax allocation increments for the Norcross City Center East TAD. The approval and execution of the Intergovernmental Agreement referenced herein shall be placed on an agenda for consideration and approval by the Board of Commissioners.

THIS RESOLUTION IS ADOPTED this the 2nd day of March, 2016.

BOARD OF COMMISSIONERS

GWINNETT COUNTY, GEORGIA

BY: *Charlotte J. Nash*
CHARLOTTE J. NASH, CHAIRMAN

ATTEST:

Diane Kemp
DIANE KEMP, COUNTY CLERK



APPROVED AS TO FORM:

Van Stephens
VAN STEPHENS
CHIEF ASSISTANT COUNTY ATTORNEY

**MODIFICATION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE
CITY OF NORCROSS, GEORGIA AND THE GWINNETT COUNTY BOARD OF
COMMISSIONERS DATED APRIL 1, 2016**

This Modification (the “Modification”) is made and entered into between the CITY OF NORCROSS, GEORGIA a municipal corporation duly formed by the State of Georgia (the “City”) and the GWINNETT COUNTY BOARD OF COMMISSIONERS, the duly elected governing authority of Gwinnett County, a political subdivision of the State of Georgia (the “County”) (the City and the County being collectively described herein as the “Parties”). The Parties have entered into this Modification for the purpose of modifying certain deadlines set forth in the Intergovernmental Agreement between the City and the County, the same being dated April 1, 2016 (the “IGA”). Those modifications are explicitly provided below.

WITNESSETH

In consideration of the respective representations and agreements hereinafter contained and in furtherance of the mutual public purposes hereby sought to be achieved, the City and the County do hereby agree as follows:

ARTICLE I

INCORPORATION AND RESTATEMENT OF IGA

This Modification of the IGA shall not be interpreted as a repudiation of any of the mutual obligations, covenants, representations, or agreements contained in the IGA, except that the Parties agree to the modifications and extensions of certain deadlines set forth in the IGA as explicitly provided in the following subsections. All modifications below are intended to replace and restate those paragraph sections as explicitly identified herein. Those paragraphs and sections of the IGA not explicitly modified, amended or restated in this Modification shall remain in full force and effect and are further incorporated and restated in this Modification.

All capitalized and defined terms used in the Modification shall be given the same meaning as prescribed in the IGA. References in this Modification to articles or paragraphs without reference to a particular agreement, either by parenthetical or otherwise, shall be interpreted as references to the articles and paragraphs of the IGA.

ARTICLE II

MODIFICATIONS

2.1 **Modifications of Paragraph 3.4.2 of the IGA.** Paragraph 3.4.2 of the IGA shall be modified to provide the following:

3.4.2 The Commencement of Construction of Significant Projects shall have occurred by no later than December 31, 2032.

2.2 **Modifications of Paragraph 3.4.3 of the IGA.** Paragraph 3.4.3 of the IGA shall be modified to provide the following:

3.4.3 In the event the deadline set forth in subsection 3.4.2 of the IGA is not met, the consent of the County to the inclusion of its ad valorem taxes on real property within the TAD in the computation of the Tax Allocation Increment for the TAD shall automatically terminate as of January 1, 2033, unless the County waives this deadline by Resolution. If the County's consent so terminates, the County's portion of Tax Allocation Increment accumulated and remaining in the Special Fund through such termination date shall be returned to the County by the City within forty-five (45) days after the termination date.

2.3 **Modifications of Paragraph 3.7 of the IGA.** Paragraph 3.7 of the IGA shall be modified to provide the following:

3.7 Commencing on January 1, 2033 and continuing every three (3) years thereafter, the City and the County agree to cooperatively review the report generated in accordance with Section 3.5 of the IGA to determine whether the goals and incremental milestones of the Norcross City Center East TAD as stated in the Redevelopment Plan have been achieved during the previous 3-year period and whether there has been sufficient Tax Allocation Increments generated and deposited into the Special Fund to pay all debt service payments when due on TAD financing, to satisfy all other terms of the Bond Indenture, and meet any other obligations related to TAD financing.

2.4 **Modifications of Paragraph 4.6 of the IGA.** Paragraph 4.6 of the IGA shall be modified to read accordingly:

4.6 **Notices.** Except as otherwise specifically provided herein, any notices, demands, approvals, consents, requests, and other communications hereunder shall be in writing and shall be deemed given when the writing is delivered in person, or one business day after being sent by reputable overnight registered delivery service, charges prepaid, or three business days after being mailed, if mailed, by certified mail, return receipt requested, postage prepaid, to the City and the County at the addresses shown below or at such other addresses as may be furnished by the City and the County in writing from time to time:

CITY:

Eric Johnson
City Manager
65 Lawrenceville Street
Norcross, Georgia 30071
(678) 421-2027

With A Copy to:

William J. Diehl

City Attorney

Thompson O'Brien Kappler & Nasuti, P.C.

2 Sun Court

Suite 400

Peachtree Corners, Georgia 30092

(770) 925-0111 telephone

(770) 925-8597 facsimile

COUNTY:

Glenn Stephens

County Administrator

Gwinnett Justice and Administration Center

75 Langley Drive

Lawrenceville, GA 30046

(770) 822-7000

With A Copy to:

Michael Ludwiczak

County Attorney

Gwinnett Justice and Administration Center

75 Langley Drive

Lawrenceville, GA 30046

(770) 822-8700

ARTICLE III

MISCELLANEOUS PROVISIONS

3.1 **Governing Law.** This Modification and the rights and obligations of the parties hereto shall be governed, construed, and interpreted according to the laws of the State of Georgia.

3.2 **Entire Modification.** This Modification expresses the entire understanding and all agreements between the parties hereto with respect to the matters set forth herein.

3.3 **Survival of Warranties.** All agreements, covenants, certifications, representations, and warranties of the parties hereunder, or made in writing by or on behalf of them in connection with the transactions contemplated hereby shall survive the execution and delivery hereof, regardless of any investigation or other action taken by any person relying thereon.

3.4 **Counterparts.** This Modification may be executed in several counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.

3.5 **Amendments in Writing.** This Modification may be amended, supplemented or otherwise modified solely by a document in writing duly executed and delivered by the County and the City. No waiver, release, or similar modification of this Agreement shall be established by conduct, custom, or course of dealing, but solely by a document in writing duly executed and delivered by a duly authorized official of the County.

SIGNATURES APPEAR ON SUBSEQUENT PAGES

IN WITNESS WHEREOF, the City and the County have caused this Intergovernmental Agreement to be executed in their respective official names and have caused their respective official seals to be hereunto affixed and attested by their duly authorized officers, all as of the Effective Date set forth hereinabove.

CITY OF NORCROSS, GEORGIA

By: _____
Craig Newton, Mayor

Attest: _____
Monique Philip, City Clerk

[SEAL]

Approved as to Form:

William J. Diehl, City Attorney

**GWINNETT COUNTY BOARD OF
COMMISSIONERS**

By: _____
Nicole Love Hendrickson,
Chairwoman

Attest: _____
Tina King, County Clerk

[SEAL]

Approved as to Form:

Michael Ludwiczak, County Attorney



Mayor: Craig Newton • Mayor Pro Tem: Marshall Cheek • Councilmember: Andrew Hixson • Councilmember: Bruce Gaynor
Councilmember: Matt Myers • Councilmember: Josh Bare • City Manager: Eric Johnson • City Clerk: Monique Philip

AGENDA REPORT

To: Mayor and Council

From: Len Housley, Public Works Director

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No.: 2025-285

Title: Custodial Contract Amendment

CC: Eric Johnson, City Manager

Recommendation

Approve the price increase and contract amendment with Good Success to cover the enhanced cleaning frequencies and upgraded service needs required to keep City facilities properly maintained.

Background

The City of Norcross currently contracts janitorial services with **Good Success** for multiple municipal facilities. This contract was awarded on 16 June 2023 for 5 years. As facility usage and operational demands have increased, adjustments to the cleaning schedule and service levels are necessary to maintain health, safety, and presentation standards across City buildings.

The amended contract reflects expanded cleaning frequencies, addition of new areas, and the inclusion of a **Day Porter** (Approved March 2025) to provide continuous daytime cleaning and support for high-traffic public areas.

Key Contract Adjustments

- **Citywide:**
Added a Day Porter (9 a.m.–5 p.m.) to maintain real-time cleanliness during business hours, assist staff, restock supplies, and support court day preparation.
- **Police:**
Increased from 2 to 5 days per week, including weekend service for restroom and locker room sanitation. This adjustment ensures a consistently sanitary and professional environment for all shifts and staff.
- **Public Works (345 Lively Ave.):**
Increased from 2 to 4 days per week due to the nature of field and maintenance operations, ensuring regular disinfection and staff safety.
- **Rectory (Cultural Arts Complex):**
Added to the contract for twice-weekly cleaning to support expanded office use and facility rentals.

- **Cultural Arts Center:**
Expanded to daily cleaning service (7 days per week), replacing the prior as-needed cleaning previously billed per visit.
- **Wingo Building (168 Wingo St.):**
Cleaning to be performed by the Day Porter twice per week during regular business hours.
- **HR Building / Welcome Center:**
Reduced from 2 to 1 day per week at staff request to accommodate privacy concerns and office scheduling needs. Cleaning is performed by Day Porter during regular business hours.

Justification for Increase

The proposed increase compensates Good Success for the expanded service scope and frequency.

Key drivers include:

- Increase public and staff activity across facilities.
- Health and sanitation standards require daily disinfection.
- Improved presentation and customer experience.
- Additional support for staff operations and public access during daytime hours.

Financial Impact:

\$3,120.00 annually. Requires a budget amendment of \$11,000 increase in GF 100-5.4100.522130 "Custodial"

Current Monthly Payment: \$4,990.00 + (Day Porter) \$1,500.00 = \$77,880.00

New contract: \$81,000.00

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

1. Continues to define Norcross' sense of place.
2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment

Attachments

- Summary of Changes
- Contract Amendment

Changes Made from Original Contract

1. Buildings to be service five (5) times a week: (Daily) City Hall - 65 Lawrenceville Street, Evenings After 6:00pm before 6:00am
2. Buildings to be service two (2) times week: Norcross Welcome Center - 125 Lawrenceville St., Norcross Police Annex Building - 168 Wingo St., and Public Works Maintenance Building- 345 Lively Ave. Evenings After 6:00pm - before 6:00am
3. Appendix B: Cultural Arts Center: Ballroom 1st Floor front lobby, restrooms, kitchen (Floors, Counters, Wipe Down front of appliances) Rectory – 1st Floor, exhibit areas, kitchen (Floors, counters, wipe down front of appliances) City Hall – Community Room – (Vacuuming, Cleaning, Windows, and Doors)

Day Porter Cleaning added to City Hall (hours revised from 6:00pm-6:00am to 9:00am-5:00pm)

- Continuous Cleanliness during business hours to address high-traffic areas that are dirtied quickly (lobby, restrooms, breakrooms, entrances) with public access, provide immediate COVID disinfecting protocols
- Support for Facility Staff to be an on-site assisting with tasks such as restocking supplies, managing trash over-flow, pre-cleaning and post-cleaning for court days and Judge
- Flexibility and Visibility: providing visible assurance that cleaning is happening throughout the day to ensure staff and visitors see cleanliness in real time, not just after hours of the site
- City Hall – Community Room – (Vacuuming, Cleaning, Windows, and Doors) is being done 5 times a week, not on the as needed basis (See Appendix B)

Police Annex Building: Increase 2 days a week cleaning to 5 days week (S, M, T, T, F) to include weekends, requested by William Manigault

- Shower and Locker room sanitation: Disinfecting and sanitizing the restrooms and showers on Sundays (one time on the weekend) and two additional days during the week reduces health risks such as COVIDS, infections, etc., and ensures the showers remain safe and sanitary throughout the week.
- Two days of service is insufficient to meet the demand of continuous operations. Increasing to 5 days (including weekends) ensures the building is consistently maintained and ready for all shifts without deterioration in cleanliness standards
- Maintaining a professional, hygienic environment reflects positively on the organization and respects the officers who depend on the space

Decreasing HR Building from 2 times a week to 1 time week

- Per request of HR Staff, due the sensitivity of documents in the office and their schedules, we agreed to have our Day Porter clean on Wednesdays while staff is in the office.

Day Porter cleans Wingo instead of evening cleaning

- Per request of the staff at Wingo, the offices are locked once they leave the building, therefore we agreed to have the Day Porter clean during normal business hours instead of the evening staff

Rectory Cleaning: Added per request of William Manigault

- Due to the Director moving her office into the Rectory and the Rectory now being used a rentable space like Cultural Arts, we've added cleaning services twice a week

Public Works: Increased cleaning from 2 times a week to 4 times a week, per request from William Manigault

- Due to the work done in Public Works, including Community Services, services to be rendered 4 times a week to ensure disinfecting and sanitizing of the building is taken place for the safety of the staff

Cultural Arts: The entire building is being cleaned daily, 7 days a week, from 5:00am-8:00am

- This includes Ballroom 1st Floor front lobby, restrooms, kitchen (Floors, Counters, Wipe Down front of appliances).
- Before, this was an extra as needed cost of \$100 (See Appendix B of original contract)



CONTRACT AMENDMENT & RENEWAL

JANITORIAL CLEANING SERVICES (RFP PWUP 03-03)

This amendment by and between the Contractor and the City of Norcross defined below shall be effective as of the date this Amendment is fully executed. To the extent the contract requires the City of Norcross to issue a Notice of Award Amendment for purposes of exercising the renewal option, this written document shall serve as such Notice of Award Amendment.

CITY OF NORCROSS CONTRACT	
City Entity's Name:	City of Norcross
Contractor's Full Legal Name:	Good Success Company
Contract Name:	Janitorial Cleaning Services
Contract Award Date:	June 16, 2023
Current Contract Term:	June 16, 2023-June 16, 2028
Amendment No.:	01

WHEREAS the Contract is in effect through the Current Contract Term as defined above; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. **CONTRACT RENEWAL:** The parties hereby agree that the contract will be renewed/extended for an additional period of time as follows:

NEW CONTRACT TERMS	
Beginning Date of New Contract Term	November 5, 2025
End Date of New Contract Term	June 16, 2028
Amendment No.:	02

The parties agree the contract will expire at midnight on the date defined as the " End Date of the New Contract Term" unless the parties agree to renew/ extend the contract for an additional period of time.

2. **SUCCESSORS AND ASSIGNS.** This amendment shall be binding upon and inure to the benefit of the successors and permitted assigns of the parties hereto.
3. **ENTIRE AGREEMENT.** Except as expressly modified by this Amendment, the contract shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding and enforceable obligations to the parties. This Amendment and the contract including any written amendments thereto), collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed by their authorized representatives.

CONTRACTOR	
Contractor's Full Legal Name:	
Authorized Signature:	
Printed Name and Title of Person Signing:	
Date:	
Company Address:	

CITY ENTITY (CITY OF NORCROSS)	
Authorized Signature:	
Printed Name and Title of Person Signing:	
Date:	
Company Address:	

APPENDIX C
CONTRACT AMMENDMENT

RFP PWUP 25-26

Annual Fee Schedule

YEAR	COST	Total Price	Percentage increase
YEAR 1 – 2023	4,100.00	49,200.00	2.11% increase
YEAR 2 – 2024	4,186.40	50,236.80	1.38% increase
YEAR 3 – 2025	4,990.00	50,928.00	NA
YEAR 3 – 2025	1,500.00	77,880.00	Increase for Day Porter- May (Test Position, no charge) June (Began Invoicing) 4.01% increase
YEAR 4 – 2026	6,750.00	81,000.00	5% increase (Contract Amendment)
YEAR 5 – 2027	7,0875.00	85,050.00	End of Current Contract

Event Cleaning

Additional Changes (after hours events)	
Cultural Arts Center – Ballroom 1 st Floor (front lobby, restrooms, kitchen floors, counters, and appliances)	\$250.00
Rectory – 1 st Floor (Exhibit areas, kitchen floors, counters, and appliances)	\$50.00
City Hall – Community Room (Floors, Walls, and Doors)	\$125.00

Additional Charges

Cultural Arts Center	
Cultural Arts Center – Extra Trash Clean Up after events (Violating rental agreement)	\$50.00



Mayor: Craig Newton • **Mayor Pro Tem:** Marshall Cheek • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Bruce Gaynor • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

AGENDA REPORT

To: Mayor and Council

From: Bill Diehl - Thompson, O'Brien, Kappler & Nasuti, P.C.

Meeting Date: November 3, 2025 – Regular Council Meeting (RCM)

Item No.: 2025-284

Title: Amendments to Hotels/Motels Ordinance as it pertains to Short Term Rentals within the City

CC: Eric Johnson, City Manager

Recommendation

Approve the amendment to Sections 8-500 through 8-523 of Chapter 8, Article XII, entitled “Hotels/Motels” of the Code of Ordinances as provided in the attached ordinance.

Background

The ordinance revision is proposed upon review of the City’s Hotels/Motels ordinance and upon consideration of the increase in popularity of Airbnb, VRBO, and other short-term rentals and the need to provide regulation of short-term rentals operating in the City of Norcross. Having had recent discussions with the City of Norcross police department and other City personnel, the amendment will provide the necessary regulation of short-term rentals, benefiting communities, protecting the housing market from being depleted, generating tax revenue, and ensuring safety standards for both guests and residents alike. Such regulations can also help manage noise levels and unregistered or illegally operating rentals thereby allowing registered short term rental owners to generate income and maintain their properties accordingly.

The amendment first expands the definition of a hotel or motel to include structures with more than one dwelling unit with provisions for living. Moreover, the amendment defines short-term rentals as parcels with only one unit rented as a dwelling unit for living purposes for a period of less than 30 days. The amendment also outlines the process for the licensing of short term-rentals, disclosure of the property’s local maintenance agent, occupancy limits, parking maximums, and advertising requirements. Moreover, the amendment provides for circumstances where the license of a short-term rental may be revoked.

Financial Impact

None.

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

2. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment
4. Maintains a Vibrant Economy and Continue to Facilitate Job Growth
5. Ensures that Norcross Residents have a Variety of Attainable, Quality Housing Options

Attachments

Proposed Redlined Ordinance
Execution Copy Short-Term Rental

ARTICLE XII. HOTELS/MOTELS¹

Sec. 8-500. Purpose and definitions.

(a) *Purpose.* The purpose of this article is to ensure the continued availability of transient lodging within the City of Norcross, proper maintenance of hotels, motels, short-term rentals, and extended-stay hotels and to protect the health, safety and welfare of hotel, motel, short-term rentals and extended-stay hotel inhabitants. The requirements of this article apply to those who occupy, visit, patronize, frequent, operate, keep, conduct, or own a hotel, motel, short-term rentals or extended-stay hotel within the City of Norcross regardless of the date of the hotel, motel, or extended-stay hotel's construction. This article is essential to the public's interest, safety, health, and welfare, and this article shall be liberally construed to effectuate its purposes.

(b) *Definitions.*

Extended-stay hotel shall mean any structure consisting of one or more buildings, with more than five dwelling units with provisions for living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered for pay to persons for non-transient extended stays and/or stays longer than 30 days, regardless of the presence of rentals or leases for shorter periods of time.

Guest shall mean a person who is not a patron who is present on the premises of a hotel, motel or extended stay hotel with the express permission of (a) a guest or patron of the hotel, motel or extended stay hotel and (b) the owner, operator, keeper or proprietor of the hotel, motel or extended stay hotel.

Hotel or motel shall mean any structure consisting of one or more buildings, with more than ~~five~~one dwelling unit~~ss~~ with provisions for transient living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary lodging of 15 days or less is offered for pay to persons, is not intended for long-term occupancy, and does not otherwise meet the definition of an extended-stay hotel as defined in this section.

Loitering is defined in section 28-2 of this Code.

¹Editor's note(s)—Ord. No. 1-2017, § I, adopted Feb. 6, 2017, amended art. XII in its entirety to read as herein set out. Former art. XII, §§ 8-500—8-508, 8-520—8-522, pertained to similar subject matter, and derived from Ord. No. 12-2016, § I, adopted Dec. 5, 2016.

Patron shall mean a person who pays a fee to the owner, operator, keeper or proprietor of the hotel, motel or extended stay hotel.

Short-term Rentals-any parcel containing only one unit rented as a dwelling unit providing sanitation and sleeping for a period of less than thirty (30) days. Parcel's containing more than one rental unit shall be regulated under this section as a Hotel.

Vehicle is any car, truck, trailer, motorcycle, or other machinery used for transporting people or goods and is normally required to be registered with the state in order to be legally operated or towed on a public roadway.

Visitor shall mean a person who is not a patron or guest who is on the premises of a hotel, motel or extended stay hotel at the invitation of a patron or guest, but without the express permission of the owner, operator, keeper or proprietor of the hotel, motel or extended stay hotel.

~~(Ord. No. 1-2017, § I, 2-6-2017)~~

Sec. 8-501. Provisions applicable to hotels, motels, short-term rentals, and extended-stay hotels.

No owner, operator, keeper or proprietor of a hotel, motel, short-term rental, or extended-stay hotel shall provide lodging at an hourly rate.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-502. Responsibilities, access, and registration requirements for Hotel, Motel, or Extended-stay Hotels.

(a) Every owner, operator, keeper or proprietor of any hotel, motel, short-term rental, or extended-stay hotel shall, without delay, report violations of law to the Norcross Police Department that were either witnessed or made known to them by an employee, patron, guest, visitor or other person on the premises.

(b) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel shall, at all times during which the premises accommodates patrons, guests, or visitors maintain on duty a responsible front desk clerk capable of assisting, communicating, and cooperating with the police or other law enforcement officials in maintaining the public health, welfare, and safety.

(c) All information required to be procured and kept pursuant to this article shall be provided to any federal, state, or local sworn law enforcement officer having the lawful power to arrest, upon demand of the officer and a representation by said officer that a reasonable suspicion exists that such information is relevant to a then-pending inquiry or

investigation. Nothing in this requirement shall be construed as giving any such officer any greater right or license to enter a room or invade privacy than the officer shall otherwise possess as a matter of law, probable cause, constitutional law, statutory right, or warrant.

(d) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel shall keep a record of all rental agreements between the hotel, motel, or extended-stay hotel and all patrons and their guests. For the purposes of this section, the term "record" shall mean the hotel, motel, or extended-stay hotel's electronic guest registration system which stores guest identifying information. In the event the hotel, motel, or extended-stay hotel does not have an electronic guest registration system, the hotel, motel, or extended-stay hotel shall record the guest, patron and their guest's information in a paper record or reservation book.

The following information, at a minimum, must be recorded at the time of registration and maintained for a period of no less than 180 days after the rental agreement's termination:

- (1) The full name, phone number, and home address of each patron and guest;
- (2) The total number of occupants (patrons and guests) registered in each room;
- (3) The room number assigned to each patron and guest;
- (4) The day, month, year and time of arrival of each patron and guest;
- (5) The day, month, year each patron and each guest is scheduled to depart;
- (6) The rate charged and amount collected for rental of the room;
- (7) The method of payment for each room; and
- (8) The make, model, color, license plate number, and license plate state of the patron and guest's vehicle if the vehicle will be parked on the premises.

(e) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel shall require each patron to provide proper identification prior to renting a room. Proper identification is defined as a current and valid government issued photo identification card such as a driver's license, military identification card, state identification card, or passport. A record and a photocopy of the provided identification shall be kept on file for the duration of the occupancy and for 180 days thereafter.

(f) No person shall procure or provide lodging in any hotel, motel, or extended-stay hotel, or any services therefrom, through misrepresentation or production of false identification, or identification which misrepresents the identity of the person procuring or sharing in such lodging or service.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-503. Vehicles, parking, and registration.

(a) All patrons and guests who wish to park a vehicle on hotel premises must register said vehicle with the hotel operator upon initial registration, during any future re-registration, or at any time after registration when they begin parking a vehicle on hotel premises. Hotel operators must record the vehicle's information in accordance with section 8-502.

(b) Every owner, operator, keeper or proprietor of a hotel, motel, and extended-stay hotel must provide patrons and guests registering a vehicle with a standardized placard that must at all times be hung from the vehicle's rear view mirror, placed on the vehicle's front dash, or affixed to the vehicle in a way that can be easily seen. At a minimum, the placard will contain the following information: hotel, motel, and extended-stay hotel name, vehicle registration number and state, and date of check-out. Any hotel, motel, or extended-stay hotel with gated and controlled access parking accessible only to employees and registered guests are exempt from this subsection (b).

(c) All vehicles must be parked in designated parking spaces. All vehicles must be parked nose-in (backed in parking is not permitted) such that the vehicle's rear license plate is visible. This section does not apply to oversized vehicles or trailers. Every owner, operator, keeper or proprietor of a hotel, motel and extended-stay motel must provide patrons and guests who have registered oversized vehicles or trailers a separate designated parking area for their vehicles.

(d) All handicap parking must be in compliance with state and local laws.

(e) All vehicles parked on any hotel's premises must be in good working order.

(f) Vehicle maintenance in hotel parking lots is prohibited.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-504. Room requirements, equipment and services.

(a) Every operator, owner, keeper, or proprietor of any hotel, motel, or extended-stay hotel shall keep and maintain in each and every rental unit, a telephone equipped to place a direct call to 911.

(b) No operator, owner, keeper or proprietor of any hotel, motel, or extended-stay hotel shall rent or provide a room for any number of persons greater than the sleeping accommodations provided within the particular rental unit or temporary sleeping accommodations provided by the hotel, motel, or extended-stay hotel.

(c) No operator, owner, keeper, or proprietor, patron, visitor or guest of any hotel, motel, or extended-stay hotel shall be allowed to congregate within any room or single rental unit a number of persons which is greater than two times the number of persons for whom sleeping accommodations are provided within the single room or rental unit.

(d) All extended-stay hotels must have enclosed, heated and air conditioned laundry space containing at least three clothes washers and three clothes dryers for guests. Such clothes washers and clothes dryers shall be in good working order.

(e) Daily maid service shall be included within the standard room rate of any hotel or motel. Maid service shall be provided no less than two times per week for each occupied guest room as part of the standard room rate at any extended-stay hotel when there exists a rental agreement of seven days or longer.

(f) No occupational tax certificate shall be issued for conduct of business from a guest room of a hotel, motel, or extended-stay hotel, and no home occupation shall be conducted from such room.

(g) Each guest room of a hotel, motel, or extended-stay hotel shall be equipped with a sprinkler system and hard wired smoke detector approved by the fire marshal.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-505. Common area requirements and parking illumination.

(a) Exterior doors (other than lobby doors) shall be locked between the hours of 9:00 pm and 6:00 am and shall be equipped with an alarm or other device that will alert hotel, motel or extended-stay hotel security or other employees the door has been opened.

(b) The open parking area and all areas surrounding any building or proposed building being a hotel, motel, or extended-stay hotel shall have an average maintained foot-candle intensity of at least one foot-candle with a minimum allowable intensity of three-tenths of a foot-candle. The covered parking area of any hotel, motel, or extended-stay hotel shall have an average maintained foot-candle intensity of five-tenths of a foot-candle.

(c) Graffiti and markings or insignia that may indicate the presence or association of a street gang shall be removed within 24 hours.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-506. Smoking.

(a) Smoking is prohibited in all hotel, motel, or extended-stay hotel spaces with the exception of designated smoking rooms. Designated smoking rooms in hotels rented by

guests shall not comprise more than 25 percent of the total number of rooms available for rent.

(b) Smoking is prohibited in exterior breezeways, stairwells, or within 25 feet of any guest room.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-507. Video surveillance systems.

(a) For the purpose of this section, "video surveillance system" (VSS) means a continuous digital surveillance system including cameras, cabling, monitors, and digital video recorders (DVR) which has been approved by the chief of police or his/her designee in accordance with this section.

(b) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel is required to install a VSS. All hotels, motels, and extended-stay hotels which have installed a VSS prior to the effective date of this article shall ensure said systems are in full compliance with this section and request an approval assessment from the chief of police or his/her designee within 30 days of the effective date of this article.

(c) All VSS shall be maintained in proper working order at all times, be kept in continuous operation 24 hours a day, seven days a week, and meet the minimum technological standards established in this section. The hotel, motel, or extended-stay hotel shall retain the continuous digital images recorded by this system for no less than thirty days.

(d) All VSS shall have no less than one camera dedicated to each register or check-out stand, entrance/exit, interior hallway and lobby, swimming pool area, exercise facility, loading dock, and parking lots or areas designated for customer and/or employee parking use. The placement of cameras included in VSS required under this section must be approved by the police department. The chief of police or his/her designee will conduct an assessment of each site required to install a VSS prior to installation of said system, and upon approval will issue an approval notice which will be placed in plain view inside the common area of the hotel, motel, or extended-stay hotel. This approval notice will also inform customers and employees of the presence of the VSS. Existing VSS at any hotel, motel, or extended-stay hotel as of the effective date of this article will be evaluated to ensure full compliance with this section.

(e) The VSS shall be subject to regular inspection by the chief of police or his/her designee, who is authorized to inspect any such system at reasonable times to determine whether it conforms with this section. If the VSS does not conform, the hotel, motel, or

extended-stay hotel in question shall take immediate steps to bring the system back into compliance.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-508. Loitering.

(a) All hotel, motel, or extended-stay hotel operators will advise patrons and guests, in writing upon registration, that loitering on or about hotel property by patrons, guests and their visitors is prohibited.

(b) No person(s) shall loiter in or upon any hotel, motel, or extended-stay hotel parking lot, public parking structure or in or around any building to include breezeways, stairwells or hotel, motel, or extended-stay hotel rooms either on foot or in or upon any conveyance being driven or parked thereon, without the permission of the owner, operator, keeper or proprietor or the hotel, motel, or extended-stay hotel.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-509. Licensing of Short-term Rentals and Application of Regulations.

(a) All Short-term rentals must obtain a Short-term rental license from the Finance Department prior to operating . Any Short-term Rental operating prior to January 1, 2026 shall apply for a license on or before March 1, 2026. Licenses provided under this section shall be valid for three (3) years and, thereafter, may be renewed as permitted by law. Fees for such license shall be in accordance with the schedule of fees provided by the City Council.

(b) Applicants seeking a Short-term rental license must provide the following documentation and information:

_____ (1) Proof of Ownership of the Property and affidavit of square footage and number of bedrooms.

_____ (2) The name, address, email, and phone number of a Local Property Management agent as provided in Section 8-510.

_____ (3) Certification by applicant that the property meets the minimum requirements of the International Property Maintenance Code.

_____ (4) Affirmation that applicant will submit quarterly revenues attributable to short-term rentals.

(5) Proof of paid property taxes.

(6) Any other information determined to be necessary by the Finance Department to process the Application and to ensure compliance.

(c) Licensing requirements are Supplemental to Other Ordinance and Code Requirements. This licensing requirement is in addition to and pendant to any other regulations related to the use of the Property, building or property maintenance codes, tax requirements, and any other provision provided by federal, state and local law.

(d) The provisions of 8-502 through 8-508 shall not be applicable to short-term rentals except as otherwise provided.

Sec. 8-510. Regulations Applicable to Short-term Rentals

(a) All Short-term Rentals must disclose a Local Property Maintenance Agent located within the Metro-Atlanta Area. The Local Property Maintenance Agent shall serve as the primary point of contact between the City and its departments regarding the Property and its compliance with local law.

(1) The designation of a person or entity as a Local Property Maintenance Agent shall designate the Local Property Maintenance Agent as an agent capable of receiving process of code-related complaints or citations on behalf of the Property owner as it relates to the operation of a Short-term rental.

(2) The designated Local Property Maintenance Agent and his/her/its contact information shall be displayed prominently in the front entrance of the property such that occupants and emergency personnel can easily locate the agent.

(b) Occupancy. Each Short-term rental shall not exceed the maximum occupancy rate of two (2) persons per bedroom.

(c) Parking Maximums. All vehicles accessing the Short-term rental for any purpose must be parked completely on the Property's driveway or otherwise in designated permanent parking areas.

(d) Display of License Number on Advertising. Any Short-term rental must display its license number on each website or posting where the rental is advertised or marketed.

(e) Maintenance of the Property. Any Short-term rental must at all times meet all standards of the international property maintenance code.

(f) Reporting of Short-term rental revenue. All Short-term rentals must report in a form created by the City's finance department all income received from the operation of

a Short-term rental each month on a quarterly basis, which such reports due on April 15 (for the months of January-March), July 15 (for the months of April-June), October 15 (for the months of July-September), and January 15 (for the months of the preceding October-December).

Sec. 8-50~~109~~—8-519. Reserved.

Sec. 8-520. Violations and penalties.

(a) Any person or other entity violating the provisions of this article shall be punishable by a fine not to exceed \$1,000.00 per violation or by imprisonment for a period not to exceed 180 days, or by both such fine or imprisonment. Such persons shall be guilty of a separate offense for each and every day during which any violation of any provision of this article is committed, continued, or permitted by that person and shall be punished accordingly.

(b) The violation of the provisions of this article may be abated as a nuisance.

(c) The violation of all provisions of this article by any person may be enjoined by instituting appropriate proceedings for injunction in any court of competent jurisdiction. Such actions may be maintained notwithstanding that other adequate remedies at law exist. Such actions may be instituted in the name of the city council.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-521. Responsibility for enforcement.

(a) The Norcross Police Department shall have the responsibility for the enforcement of this section. Sworn officers of the Norcross City Police Department and civilian employees designated by the chief of police shall have the authority to inspect establishments governed under this section during the hours in which the premises are open for business.

(b) These inspections shall be made for the purpose of verifying compliance with the requirements of this section and state law.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-522. Unlawful operation declared nuisance.

(a) Any hotel, motel, or extended-stay hotel operated, conducted or maintained contrary to the provisions of this article may be declared to be unlawful and a public nuisance. The city may, in addition, or in lieu of all other remedies, commence actions or

proceedings for abatement, removal or injunction thereof, in the manner provided by state law and the City of Norcross Code of Ordinances.

(b) No hotel, motel, or extended-stay hotel shall operate at any location nor on any premises which does not comply with all zoning, building code, fire safety code, and other ordinances and laws of the city and the state.

Sec. 8-523. Revocation of Short-term Rental License.

(a) Any Short-term Rental License may be subject to revocation upon the following conditions:

- (1) The failure to timely adequate address any two (2) notices of violations of any local-ordinance provision including those provided in Section 8-510 within any 365 day period;
- (2) The commission of any activity on the Property that resulted or could have resulted in misdemeanor or felony charges;
- (3) The failure to provide income reporting as required by 8-510(f) on a timely basis but only after notice of a deficiency is provided by the City to the Local Property Maintenance Agent and the deficiency remains for more than 15 additional days;
- (4) The failure to keep a current Local Property Maintenance Agent;
- (5) The failure to keep the Property in a safe and sanitary condition;
- (6) Any other condition that threatens the health, safety, and welfare of the City and its residents.

(b) Process for revocation. Any Short-term License may be revoked by the Director of the Finance Department subject to the Property Owner or his/her/its agent's right to appeal to the City Manager. The Finance Director shall give a written notice of the revocation including the grounds for revocation and those facts substantiating the administrative action. A revocation shall be final fifteen (15) days after such notice is delivered by certified mail to the Local Property Maintenance Agent or the property owner.

- (1) Appeals of the Finance Director's revocation may be heard by the City Manager but must be made within fourteen (14) days of the revocation.
- (2) Any appeal filed with the City Manager must be heard within twenty-one days of the notice being filed.

(Ord. No. 1-2017, § I, 2-6-2017)

Secs. 8-52~~43~~—8-599. Reserved.

ORDINANCE NO. ____

**AN AMENDMENT AND RESTATEMENT OF CHAPTER XIII, ARTICLE XII,
SECTIONS 8-500 THROUGH 8-599 PROVIDING FOR THE REGULATION OF
HOTELS, MOTELS, SHORT-TERM RENTALS, AND EXTENDED-STAY HOTELS,
PROVIDING FOR ENFORCEMENT MECHANISMS, PROVIDING FOR A
LICENSING FEE FOR SHORT-TERM RENTALS, REPEALING INCONSISTENT
LAWS, AND PROVIDING FOR AN EFFECTIVE DATE**

ENACTING CLAUSE. The Mayor and City Council of the City of Norcross, Georgia, hereby ordains that Chapter XIII, Article XII, Sections 8-500 through 8-599 is hereby repealed and replaced with the following provisions as more particularly set forth below. It is the intention of the Mayor and City Council, and it is hereby ordained that the following provisions shall become and be made a part of the Official Code of the City of Norcross.

**I. REPEALER AND RESTATEMENT OF CHAPTER XIII, ARTICLE XII,
SECTIONS 8-500 THROUGH 8-599**

Sections 8-500 through 8-599 of Chapter XIII, Article XII of the Code of Ordinances shall be stricken in its entirety and replaced with the following revisions and re-codifications of the ordinance:

ARTICLE XII. HOTELS/MOTELS

Sec. 8-500. Purpose and definitions.

(a) *Purpose.* The purpose of this article is to ensure the continued availability of transient lodging within the City of Norcross, proper maintenance of hotels, motels, short-term rentals, and extended-stay hotels and to protect the health, safety and welfare of hotel, motel, short-term rentals and extended-stay hotel inhabitants. The requirements of this article apply to those who occupy, visit, patronize, frequent, operate, keep, conduct, or own a hotel, motel, short-term rentals or extended-stay hotel within the City of Norcross regardless of the date of the hotel, motel, or extended-stay hotel's construction. This article is essential to the public's interest, safety, health, and welfare, and this article shall be liberally construed to effectuate its purposes.

(b) *Definitions.*

Extended-stay hotel shall mean any structure consisting of one or more buildings, with more than five dwelling units with provisions for living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered for pay to persons for non-transient extended stays and/or stays longer than 30 days, regardless of the presence of rentals or leases for shorter periods of time.

Guest shall mean a person who is not a patron who is present on the premises of a hotel, motel or extended stay hotel with the express permission of (a) a guest or patron of the hotel, motel or

extended stay hotel and (b) the owner, operator, keeper or proprietor of the hotel, motel or extended stay hotel.

Hotel or motel shall mean any structure consisting of one or more buildings, with more than one dwelling units with provisions for transient living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary lodging of 15 days or less is offered for pay to persons, is not intended for long-term occupancy, and does not otherwise meet the definition of an extended-stay hotel as defined in this section.

Loitering is defined in section 28-2 of this Code.

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Short-term Rentals-any parcel containing only one unit rented as a dwelling unit providing sanitation and sleeping for a period of less than thirty (30) days. Parcel's containing more than one rental unit shall be regulated under this section as a Hotel.

Vehicle is any car, truck, trailer, motorcycle, or other machinery used for transporting people or goods and is normally required to be registered with the state in order to be legally operated or towed on a public roadway.

Visitor shall mean a person who is not a patron or guest who is on the premises of a hotel, motel or extended stay hotel at the invitation of a patron or guest, but without the express permission of the owner, operator, keeper or proprietor of the hotel, motel or extended stay hotel.

Sec. 8-501. Provisions applicable to hotels, motels, short-term rentals, and extended-stay hotels.

No owner, operator, keeper or proprietor of a hotel, motel, short-term rental, or extended-stay hotel shall provide lodging at an hourly rate.

Sec. 8-502. Responsibilities, access, and registration requirements for Hotel, Motel, or Extended-stay Hotels.

(a) Every owner, operator, keeper or proprietor of any hotel, motel, short-term rental, or extended-stay hotel shall, without delay, report violations of law to the Norcross Police Department that were either witnessed or made known to them by an employee, patron, guest, visitor or other person on the premises.

(b) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel shall, at all times during which the premises accommodates patrons, guests, or visitors maintain on duty a responsible front desk clerk capable of assisting, communicating, and cooperating with the police or other law enforcement officials in maintaining the public health, welfare, and safety.

(c) All information required to be procured and kept pursuant to this article shall be provided to any federal, state, or local sworn law enforcement officer having the lawful power to arrest, upon demand of the officer and a representation by said officer that a reasonable suspicion exists that such information is relevant to a then-pending inquiry or investigation. Nothing in this requirement shall be construed as giving any such officer any greater right or license to enter a room or invade privacy than the officer shall otherwise possess as a matter of law, probable cause, constitutional law, statutory right, or warrant.

(d) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel shall keep a record of all rental agreements between the hotel, motel, or extended-stay hotel and all patrons and their guests. For the purposes of this section, the term "record" shall mean the hotel, motel, or extended-stay hotel's electronic guest registration system which stores guest identifying information. In the event the hotel, motel, or extended-stay hotel does not have an electronic guest registration system, the hotel, motel, or extended-stay hotel shall record the guest, patron and their guest's information in a paper record or reservation book.

The following information, at a minimum, must be recorded at the time of registration and maintained for a period of no less than 180 days after the rental agreement's termination:

- (1) The full name, phone number, and home address of each patron and guest;
- (2) The total number of occupants (patrons and guests) registered in each room;
- (3) The room number assigned to each patron and guest;
- (4) The day, month, year and time of arrival of each patron and guest;
- (5) The day, month, year each patron and each guest is scheduled to depart;
- (6) The rate charged and amount collected for rental of the room;
- (7) The method of payment for each room; and
- (8) The make, model, color, license plate number, and license plate state of the patron and guest's vehicle if the vehicle will be parked on the premises.

(e) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel shall require each patron to provide proper identification prior to renting a room. Proper identification is defined as a current and valid government issued photo identification card such as a driver's license, military identification card, state identification card, or passport. A record and a photocopy of the provided identification shall be kept on file for the duration of the occupancy and for 180 days thereafter.

(f) No person shall procure or provide lodging in any hotel, motel, or extended-stay hotel, or any services therefrom, through misrepresentation or production of false identification, or

identification which misrepresents the identity of the person procuring or sharing in such lodging or service.

Sec. 8-503. Vehicles, parking, and registration.

(a) All patrons and guests who wish to park a vehicle on hotel premises must register said vehicle with the hotel operator upon initial registration, during any future re-registration, or at any time after registration when they begin parking a vehicle on hotel premises. Hotel operators must record the vehicle's information in accordance with section 8-502.

(b) Every owner, operator, keeper or proprietor of a hotel, motel, and extended-stay hotel must provide patrons and guests registering a vehicle with a standardized placard that must at all times be hung from the vehicle's rear view mirror, placed on the vehicle's front dash, or affixed to the vehicle in a way that can be easily seen. At a minimum, the placard will contain the following information: hotel, motel, and extended-stay hotel name, vehicle registration number and state, and date of check-out. Any hotel, motel, or extended-stay hotel with gated and controlled access parking accessible only to employees and registered guests are exempt from this subsection (b).

(c) All vehicles must be parked in designated parking spaces. All vehicles must be parked nose-in (backed in parking is not permitted) such that the vehicle's rear license plate is visible. This section does not apply to oversized vehicles or trailers. Every owner, operator, keeper or proprietor of a hotel, motel and extended-stay motel must provide patrons and guests who have registered oversized vehicles or trailers a separate designated parking area for their vehicles.

(d) All handicap parking must be in compliance with state and local laws.

(e) All vehicles parked on any hotel's premises must be in good working order.

(f) Vehicle maintenance in hotel parking lots is prohibited.

(Ord. No. 1-2017, § I, 2-6-2017)

Sec. 8-504. Room requirements, equipment and services.

(a) Every operator, owner, keeper, or proprietor of any hotel, motel, or extended-stay hotel shall keep and maintain in each and every rental unit, a telephone equipped to place a direct call to 911.

(b) No operator, owner, keeper or proprietor of any hotel, motel, or extended-stay hotel shall rent or provide a room for any number of persons greater than the sleeping accommodations provided within the particular rental unit or temporary sleeping accommodations provided by the hotel, motel, or extended-stay hotel.

(c) No operator, owner, keeper, or proprietor, patron, visitor or guest of any hotel, motel, or extended-stay hotel shall be allowed to congregate within any room or single rental unit a number

of persons which is greater than two times the number of persons for whom sleeping accommodations are provided within the single room or rental unit.

(d) All extended-stay hotels must have enclosed, heated and air conditioned laundry space containing at least three clothes washers and three clothes dryers for guests. Such clothes washers and clothes dryers shall be in good working order.

(e) Daily maid service shall be included within the standard room rate of any hotel or motel. Maid service shall be provided no less than two times per week for each occupied guest room as part of the standard room rate at any extended-stay hotel when there exists a rental agreement of seven days or longer.

(f) No occupational tax certificate shall be issued for conduct of business from a guest room of a hotel, motel, or extended-stay hotel, and no home occupation shall be conducted from such room.

(g) Each guest room of a hotel, motel, or extended-stay hotel shall be equipped with a sprinkler system and hard wired smoke detector approved by the fire marshal.

Sec. 8-505. Common area requirements and parking illumination.

(a) Exterior doors (other than lobby doors) shall be locked between the hours of 9:00 pm and 6:00 am and shall be equipped with an alarm or other device that will alert hotel, motel or extended-stay hotel security or other employees the door has been opened.

(b) The open parking area and all areas surrounding any building or proposed building being a hotel, motel, or extended-stay hotel shall have an average maintained foot-candle intensity of at least one foot-candle with a minimum allowable intensity of three-tenths of a foot-candle. The covered parking area of any hotel, motel, or extended-stay hotel shall have an average maintained foot-candle intensity of five-tenths of a foot-candle.

(c) Graffiti and markings or insignia that may indicate the presence or association of a street gang shall be removed within 24 hours.

Sec. 8-506. Smoking.

(a) Smoking is prohibited in all hotel, motel, or extended-stay hotel spaces with the exception of designated smoking rooms. Designated smoking rooms in hotels rented by guests shall not comprise more than 25 percent of the total number of rooms available for rent.

(b) Smoking is prohibited in exterior breezeways, stairwells, or within 25 feet of any guest room.

Sec. 8-507. Video surveillance systems.

(a) For the purpose of this section, "video surveillance system" (VSS) means a continuous digital surveillance system including cameras, cabling, monitors, and digital video recorders

(DVR) which has been approved by the chief of police or his/her designee in accordance with this section.

(b) Every owner, operator, keeper or proprietor of any hotel, motel, or extended-stay hotel is required to install a VSS. All hotels, motels, and extended-stay hotels which have installed a VSS prior to the effective date of this article shall ensure said systems are in full compliance with this section and request an approval assessment from the chief of police or his/her designee within 30 days of the effective date of this article.

(c) All VSS shall be maintained in proper working order at all times, be kept in continuous operation 24 hours a day, seven days a week, and meet the minimum technological standards established in this section. The hotel, motel, or extended-stay hotel shall retain the continuous digital images recorded by this system for no less than thirty days.

(d) All VSS shall have no less than one camera dedicated to each register or check-out stand, entrance/exit, interior hallway and lobby, swimming pool area, exercise facility, loading dock, and parking lots or areas designated for customer and/or employee parking use. The placement of cameras included in VSS required under this section must be approved by the police department. The chief of police or his/her designee will conduct an assessment of each site required to install a VSS prior to installation of said system, and upon approval will issue an approval notice which will be placed in plain view inside the common area of the hotel, motel, or extended-stay hotel. This approval notice will also inform customers and employees of the presence of the VSS. Existing VSS at any hotel, motel, or extended-stay hotel as of the effective date of this article will be evaluated to ensure full compliance with this section.

(e) The VSS shall be subject to regular inspection by the chief of police or his/her designee, who is authorized to inspect any such system at reasonable times to determine whether it conforms with this section. If the VSS does not conform, the hotel, motel, or extended-stay hotel in question shall take immediate steps to bring the system back into compliance.

Sec. 8-508. Loitering.

(a) All hotel, motel, or extended-stay hotel operators will advise patrons and guests, in writing upon registration, that loitering on or about hotel property by patrons, guests and their visitors is prohibited.

(b) No person(s) shall loiter in or upon any hotel, motel, or extended-stay hotel parking lot, public parking structure or in or around any building to include breezeways, stairwells or hotel, motel, or extended-stay hotel rooms either on foot or in or upon any conveyance being driven or parked thereon, without the permission of the owner, operator, keeper or proprietor or the hotel, motel, or extended-stay hotel.

Sec. 8-509. Licensing of Short-term Rentals and Application of Regulations.

(a) All Short-term rentals must obtain a Short-term rental license from the Finance Department prior to operating . Any Short-term Rental operating prior to January 1, 2026 shall apply for a license on or before March 1, 2026. Licenses provided under this section shall be valid for three (3) years and, thereafter, may be renewed as permitted by law. Fees for such license shall be in accordance with the schedule of fees provided by the City Council.

(b) Applicants seeking a Short-term rental license must provide the following documentation and information:

- (1) Proof of Ownership of the Property and affidavit of square footage and number of bedrooms.
- (2) The name, address, email, and phone number of a Local Property Management agent as provided in Section 8-510.
- (3) Certification by applicant that the property meets the minimum requirements of the International Property Maintenance Code.
- (4) Affirmation that applicant will submit quarterly revenues attributable to short-term rentals.
- (5) Proof of paid property taxes.

(6) Any other information determined to be necessary by the Finance Department to process the Application and to ensure compliance.

(c) Licensing requirements are Supplemental to Other Ordinance and Code Requirements. This licensing requirement is in addition to and pendant to any other regulations related to the use of the Property, building or property maintenance codes, tax requirements, and any other provision provided by federal, state and local law.

(d) The provisions of 8-502 through 8-508 shall not be applicable to short-term rentals except as otherwise provided.

Sec. 8-510. Regulations Applicable to Short-term Rentals

(a) All Short-term Rentals must disclose a Local Property Maintenance Agent located within the Metro-Atlanta Area. The Local Property Maintenance Agent shall serve as the primary point of contact between the City and its departments regarding the Property and its compliance with local law.

- (1) The designation of a person or entity as a Local Property Maintenance Agent shall designate the Local Property Maintenance Agent as an agent capable of receiving process of code-related complaints or citations on behalf of the Property owner as it relates to the operation of a Short-term rental.

- (2) The designated Local Property Maintenance Agent and his/her/its contact information shall be displayed prominently in the front entrance of the property such that occupants and emergency personnel can easily locate the agent.
- (b) Occupancy. Each Short-term rental shall not exceed the maximum occupancy rate of two (2) persons per bedroom.
- (c) Parking Maximums. All vehicles accessing the Short-term rental for any purpose must be parked completely on the Property's driveway or otherwise in designated permanent parking areas.
- (d) Display of License Number on Advertising. Any Short-term rental must display its license number on each website or posting where the rental is advertised or marketed.
- (e) Maintenance of the Property. Any Short-term rental must at all times meet all standards of the international property maintenance code.
- (f) Reporting of Short-term rental revenue. All Short-term rentals must report in a form created by the City's finance department all income received from the operation of a Short-term rental each month on a quarterly basis, which such reports due on April 15 (for the months of January-March), July 15 (for the months of April-June), October 15 (for the months of July-September), and January 15 (for the months of the preceding October-December).

Sec. 8-5010—8-519. Reserved.

Sec. 8-520. Violations and penalties.

- (a) Any person or other entity violating the provisions of this article shall be punishable by a fine not to exceed \$1,000.00 per violation or by imprisonment for a period not to exceed 180 days, or by both such fine or imprisonment. Such persons shall be guilty of a separate offense for each and every day during which any violation of any provision of this article is committed, continued, or permitted by that person and shall be punished accordingly.
- (b) The violation of the provisions of this article may be abated as a nuisance.
- (c) The violation of all provisions of this article by any person may be enjoined by instituting appropriate proceedings for injunction in any court of competent jurisdiction. Such actions may be maintained notwithstanding that other adequate remedies at law exist. Such actions may be instituted in the name of the city council.

Sec. 8-521. Responsibility for enforcement.

- (a) The Norcross Police Department shall have the responsibility for the enforcement of this section. Sworn officers of the Norcross City Police Department and civilian employees designated by the chief of police shall have the authority to inspect establishments governed under this section during the hours in which the premises are open for business.
- (b) These inspections shall be made for the purpose of verifying compliance with the requirements of this section and state law.

Sec. 8-522. Unlawful operation declared nuisance.

(a) Any hotel, motel, or extended-stay hotel operated, conducted or maintained contrary to the provisions of this article may be declared to be unlawful and a public nuisance. The city may, in addition, or in lieu of all other remedies, commence actions or proceedings for abatement, removal or injunction thereof, in the manner provided by state law and the City of Norcross Code of Ordinances.

(b) No hotel, motel, or extended-stay hotel shall operate at any location nor on any premises which does not comply with all zoning, building code, fire safety code, and other ordinances and laws of the city and the state. Violations shall be enforceable by citation.

Sec. 8-523. Revocation of Short-term Rental License.

(a) Any Short-term Rental License may be subject to revocation upon the following conditions:

- (1) The failure to timely adequately address any two (2) notices of violations of any local-ordinance provision including those provided in Section 8-510 within any 365 day period;
- (2) The commission of any activity on the Property that resulted or could have resulted in misdemeanor or felony charges;
- (3) The failure to provide income reporting as required by 8-510(f) on a timely basis but only after notice of a deficiency is provided by the City to the Local Property Maintenance Agent and the deficiency remains for more than 15 additional days;
- (4) The failure to keep a current Local Property Maintenance Agent;
- (5) The failure to keep the Property in a safe and sanitary condition;
- (6) Any other condition that threatens the health, safety, and welfare of the City and its residents.

(b) Process for revocation. Any Short-term License may be revoked by the Director of the Finance Department subject to the Property Owner or his/her/its agent's right to appeal to the City Manager. The Finance Director shall give a written notice of the revocation including the grounds for revocation and those facts substantiating the administrative action. A revocation shall be final fifteen (15) days after such notice is delivered by certified mail to the Local Property Maintenance Agent or the property owner.

- (1) Appeals of the Finance Director's revocation may be heard by the City Manager but must be made within fourteen (14) days of the revocation.
- (2) Any appeal filed with the City Manager must be heard within twenty-one days of the notice being filed.

Secs. 8-524—8-599. Reserved.

II. ESTABLISHMENT OF FEE FOR SHORT-TERM RENTAL LICENSING APPLICATION FEE

The City of Norcross Fee Schedule shall be amended to provide the following fee applicable to Short-term Rental Licensing:

<u>ITEM</u>	<u>FEE</u>
Short-term Rental License Application (three-year term)	\$150.00

III. REPEALER.

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

IV. EFFECTIVE DATE.

This Ordinance shall become effective immediately and shall remain in effect until revised or repealed by further action of the Mayor and Council of the City of Norcross.

IN WITNESS WHEREOF, I have hereunto set my hand and cause this seal to be affixed this ____ day of _____, 2025.

Craig Newton, Mayor

ATTEST:

Monique Philip, City Clerk