



**City of Flowery Branch
City Council Meeting
Thursday, March 20, 2025, 6:00 PM
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

PLEDGE OF ALLEGIANCE:

ADOPTION OF AGENDA:

AWARDS & RECOGNITIONS:

PUBLIC HEARING:

UNFINISHED BUSINESS - WORK SESSION:

- Consider the Second Reading of Ordinance 730 for a Conditional Use Permit at 5205 Railroad Avenue for the Operation of a Micro-Brewery.
[CUP Report 5205 Railroad Avenue Micro Brewery and Restaurant.pdf](#)
[Ordinance 730 CUP for 5205 Railroad Avenue for 3-20-2025.pdf](#)
[Ordinance_730_CUP_for_5205_Railroad_Avenue_for_3-20-2025 TB.pdf](#)
- Consider the Second Reading of Ordinance 733 for a Text Amendment to Add Sections 6.5 and Section 6.6; Text Amendment to Revise Table 6.1, Table 6.2 within Article 6, Article 12 Section 12.6 and definitions in Article 2, Section 2.1.
[Executive Summary Changes to Ordinance 733 Article 6 - Article 12 - Article 2 from Public Hearing 3-20-2026.pdf](#)
[Ordinance 733 \(Article 6 - Article 12\) March 20 2025.pdf](#)

NEW BUSINESS -WORK SESSION:

- Update on the Construction of the Wastewater Treatment Plant Expansion
- Discussion of Timed Parking Spaces on Main Street and Pine Street.
- Consider Resolution 25-002 to Amend the City of Flowery Branch Investment Policy.
[Resolution 25-002 To amend the City of Flowery Branch Investment Policy.pdf](#)
[Investment Policy - 03-03-2025.pdf](#)
[Executive summary Investment Policy Updated.pdf](#)
- Consider the First Reading of Ordinance 736 for an Amendment to the Charter of the City of Flowery Branch to Increase the Amount of Per Diem for Meeting Attendance by the Mayor and Councilmembers
[ES - Charter Amendment - change to per diem.pdf](#)
[Ord 736 Flowery Branch City Charter per diem Amendment alternative redline 3 3 25.pdf](#)
[Ordinance 736 Flowery Branch City Charter per diem Amendment.pdf](#)
- Consider Approval of the Tyler Enterprise Permitting and Licensing Proposal
[Executive Tyler Government Software for 3-20-2025.pdf](#)
[Tyler Enterprise Permitting and Licensing Amendment Proposal Summary 31225.pdf](#)

DEPARTMENT REPORTS:

- a. City Manager Report
- b. City Clerk Report
- c. Department of Fun Report
- d. Finance Department Report
- e. Human Resources Report
- f. Planning Department Report
- g. Police Department Report
- h. Public Works & Utilities Report
- i. Attorney Report
- j. Council Report

ADJOURNMENT WORK SESSION:**VOTING SESSION AGENDA****CALL VOTING SESSION TO ORDER:****PUBLIC COMMENTS:**

Please limit to two minutes

CONSENT AGENDA:

- Consider March 6, 2025 City Council Meeting Minutes
[Unofficial March 6, 2025 City Council Meeting Minutes.pdf](#)
- Consider February 2025 Per Diem for Council Member McClellan
[February 2025 Council Member McClellan Per Diem.pdf](#)
- Consider February 2025 Per Diem for Council Member Mezzanotte
[February 2025 Council Member Mezzanotte Per Diem.pdf](#)
- Consider New Package Store License for Evimeria Investment, LLC
[Executive Summary Enimeria Investments, LLC Ownership Change Only.pdf](#)
- Consider New Consumption on Premise License for ShogunFB, LLC
[Executive Summary Shogun Japanese Steak Ownership Change to ShogunFB, LLC.pdf](#)

UNFINISHED BUSINESS - VOTING SESSION:

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EXECUTIVE SESSION:

ADJOURNMENT:

If you have a disability or impairment and need special assistance please contact the City Clerk prior to the meeting at 770-967-6371 - Meeting agenda is subject to change



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the Second Reading of Ordinance 730 for a Conditional Use Permit at 5205 Railroad Avenue for the Operation of a Micro-Brewery.

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

The Public Hearing was published on January 8th, 2025; First Reading and Public Hearing is scheduled for February 6th, 2025 and anticipated final vote on March 20th, 2025.

FACTS AND ISSUES:

A micro-brewery requires a Conditional Use Permit to operate in CBD zoning

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

I make a motion for the approval of Ordinance 730 with staff recommended conditions.

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

Planning

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [CUP Report 5205 Railroad Avenue Micro Brewery and Restaurant.pdf](#)
- [Ordinance 730 CUP for 5205 Railroad Avenue for 3-20-2025.pdf](#)
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Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: February 6th, 2025

Subject: Conditional Use Permit – Certificate of Appropriateness

Applicant: Kevin Hobgood
7233 Sherwood Mill Drive
Flowery Branch, GA 30542
404-925-2400

Existing Zoning: CBD – Central Business District

Location:

- 5205 Railroad Avenue; tax parcel identification number **08112 016001**

Conditional Use Permit (CUP) Request:

The applicant is seeking the approval of a Conditional Use Permit for the operation of a micro-brewery within the existing building located at 5205 Railroad Avenue. The building is ~8,700 square feet and the applicant intends to occupy the building with 2,000 square feet of brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.



Code Section:

Table 9.1 – Permitted and Conditional Uses in Nonresidential Zoning Districts

Properties located within the boundaries of the downtown overlay district with the underlying zoning of CBD are hereby permitted to operate micro-breweries subject to the granting of a conditional use permit under the terms and conditions of Article 34 and compliance with all applicable state and local alcoholic beverage licensing requirements. Table 9.1 are hereby provided to reflect this potential use:

Use	O-P	INST	NS	HB	CBD	M-1	M-2
Micro-brewery	X	X	X	X ₁	C	X	X
Micro-distillery	X	X	X	X ₁	C	X	X

Table 21.3 – Minimum and Maximum Number of Off-Street Parking Spaces Required

Use	Minimum Parking Required	Maximum Parking Permitted
Restaurant, bar, or tavern	One per 125 square feet	One per 75 square feet
Manufacturing, processing...	One per 1,300 square feet	One per 1,000 square feet

The total area to be used for the micro-brewery and restaurant is 8,700 square feet. The breakdown will be 2,000 square feet of the brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.

Restaurant bar or tavern: $5,900 / 125 = 47$ parking spaces minimum and $5,900 / 75 = 79$ parking spaces maximum.

Brewery (Manufacturing): $2,000 / 1,300 = 2$ parking spaces minimum and $2,000 / 1,000 = 2$ parking spaces maximum.

A total of 49 parking spaces minimum and 81 parking spaces maximum.

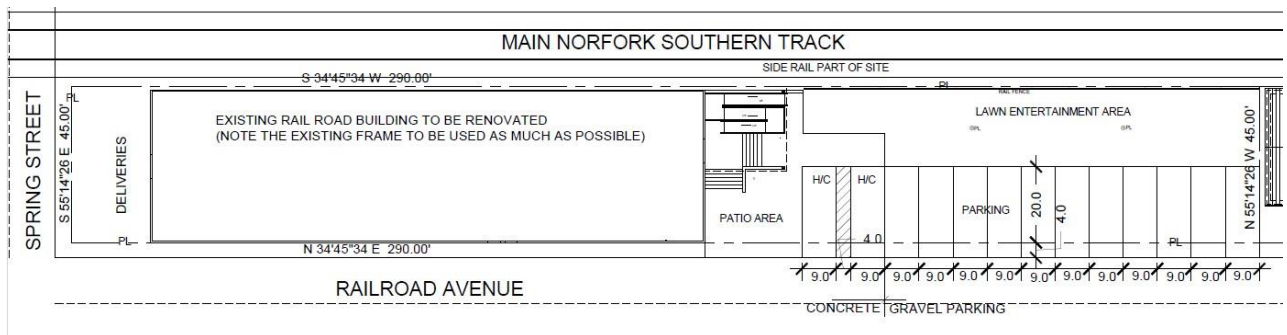


Sec. 21.5. - Parking Requirements in the CBD Zoning District.

It is the intent of this Section to give the Zoning Administrator maximum flexibility in administering the off-street parking requirements of this Article within the CBD zoning district, to promote redevelopment while ensuring that parking problems do not occur. Notwithstanding other provisions of this Article, off-street parking requirements of this Article may be administratively varied by the Zoning Administrator after considering the specific uses involved and the availability of on street and other (nearby) off-street parking.

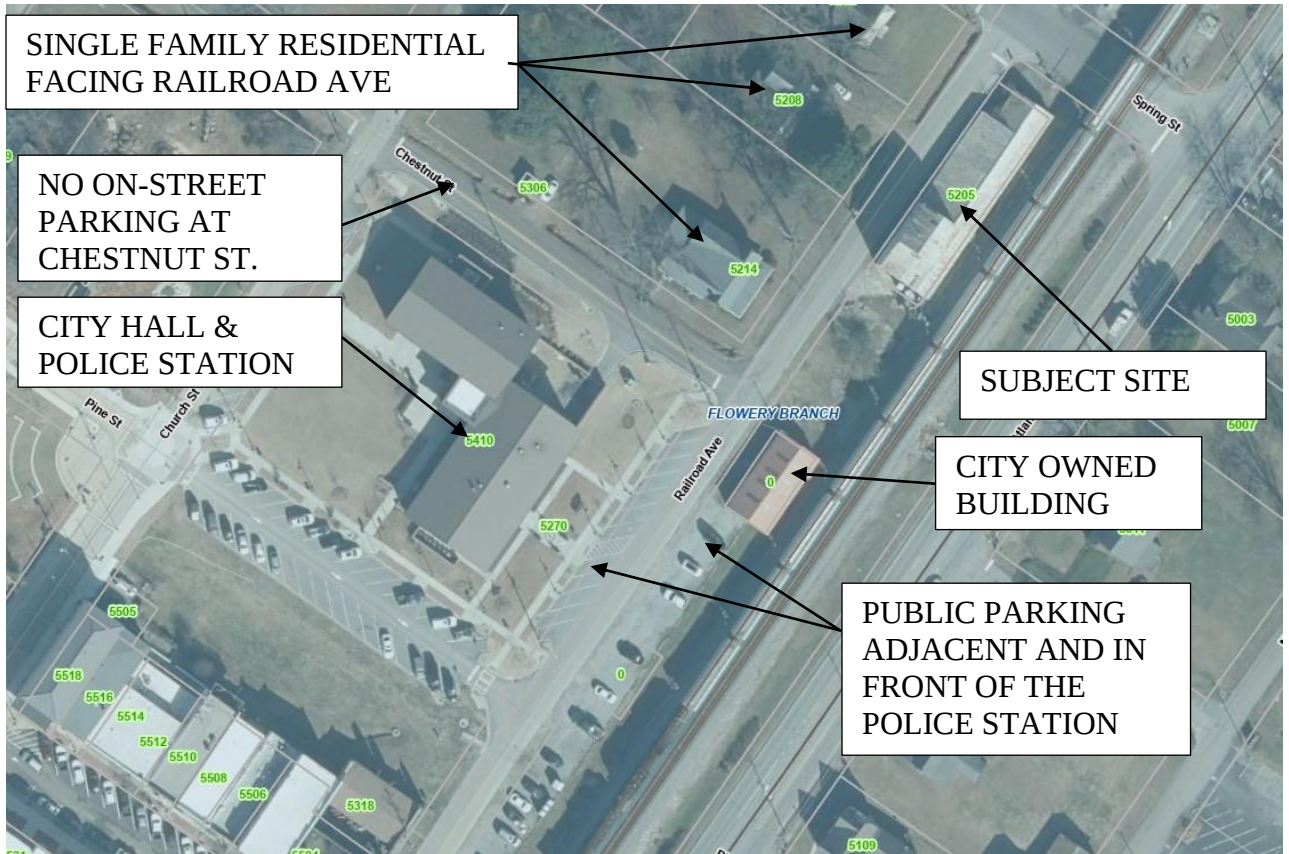
Zoning Administrator Response:

One of the heaviest uses for parking requirements is a restaurant. With +/- 5,900 square feet of restaurant area the required parking is significant. For the restaurant area alone, the required parking is 47 parking spaces. The applicant shows 13 parking spaces on the site plan.



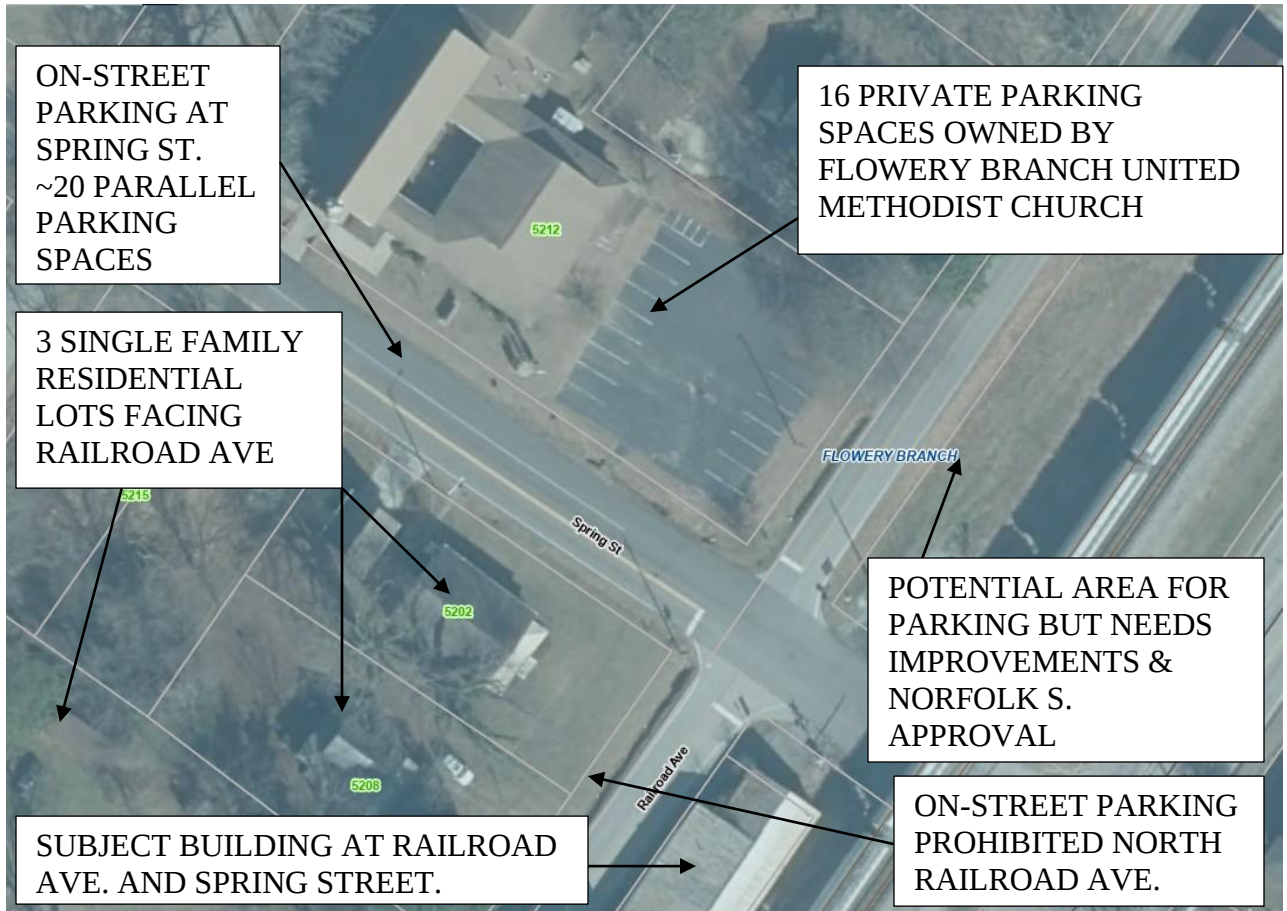


The image below focuses on public parking south of the subject building.





The image below focuses on public parking north of the subject building.



The parking area near the Police Headquarters supports the police fleet and is typically at full capacity. The proposed restaurant and brewery are expected to operate concurrently with other entertainment destinations in the downtown core, intensifying the demand for parking. During special events, parking availability for businesses in the area is already limited, and the addition of the restaurant would further increase this demand.

Existing and Potential Parking Options

1. **Core Downtown Parking:** The applicant shouldn't expect the availability of parking to support the restaurant exclusively along Railroad Avenue, Spring Street, and Main Street due to the current demands for the existing businesses.
2. **Spring Street On-Street Parking:** Approximately 20 parallel parking spaces are available on Spring Street, located north of the site.



3. **Norfolk Southern Property:** Additional parking may be possible on Norfolk Southern property north of the intersection of Railroad Avenue and Spring Street. However, this option would require the applicant to secure approval from Norfolk Southern and comply with the City's Development Regulations for parking lot improvements.
4. **Flowery Branch United Methodist Church:** There are an estimated 16 parking spaces at the church that could potentially be used. The applicant would need to establish a shared parking agreement with the church, record the agreement, and submit it to the City. However, there is no guarantee that the church will agree to this arrangement.

Parking Requirements and Recommendations

Given the existing parking constraints in the area, it is reasonable to require the applicant to address the parking deficiency through a combination of available options to meet the required parking capacity. The applicant must present a comprehensive parking solution.

If a sufficient solution is not provided, the Zoning Administrator concludes that parking issues will arise with the introduction of a restaurant at this location.

Sec. 21.11. - Stormwater Requirements for Large Parking Lots.

All off-street parking lots with ten or more spaces shall be required to have an oil/water separator device designed and constructed and shown in the stormwater management plan. Such device shall be approved by the City Engineer and shall be the responsibility of the property owner for maintenance and operation. The applicant is required to provide proper stormwater management at the issuance of a Land Disturbance Permit following the Conditional Use Permit approval.

Improvements for Pedestrians at offsite parking.

To ensure pedestrian safety, the City will evaluate the pathways from the offsite parking areas to the proposed business. If adequate infrastructure is not already in place, the applicant should be prepared to install marked crosswalks, appropriate signage at intersections, and sidewalk connections leading to the business.



Certificate of Appropriateness

Per the Historic District Ordinance, the subject building at 5205 Railroad Avenue (Parcel 08112 016001) is designated as historic building #62. A certificate of appropriateness shall be obtained prior to any material change in appearance of the designated historic property or any structure, site, or work of art located within a designated historic district; except as otherwise may be exempted by the City of Flowery Branch Historic Preservation Ordinance, Ordinance No. 375, as may be amended from time to time.

The applicant provided an existing condition report for the subject building by Tom Wright a Georgia registered Architect. The report provides an accurate representation of the building's current condition and highlights critical areas to address during the redevelopment process.

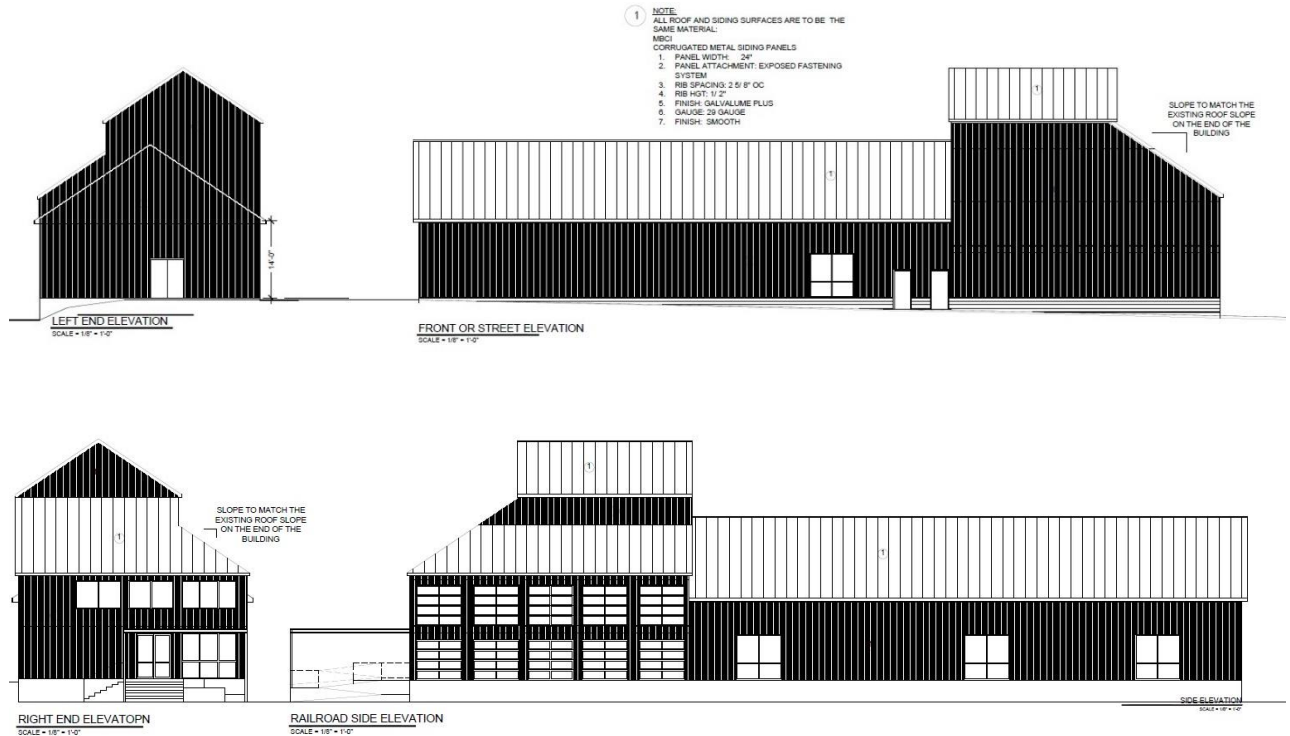
Summary of Recommended Actions

1. **Roof:** Full replacement or extensive repairs to address leaks and structural issues.
2. **Exterior Walls:** Repair and seal damaged wood elements; apply protective coatings to block walls.
3. **Foundation:** No action required at this time.
4. **Windows and Doors:** Replace or repair for improved functionality and aesthetics.
5. **Interior Repairs:** Address moisture infiltration, repair finishes, and consider new flooring installation.
6. **Utilities:** Conduct detailed inspections and upgrade as necessary to meet future operational demands.

The applicant will be required to file an application for a Building Permit and all required building codes will be reviewed for compliance.



The applicant provided black and white elevations with some description of the material.



1

NOTE:

ALL ROOF AND SIDING SURFACES ARE TO BE THE SAME MATERIAL:

MBCI

CORRUGATED METAL SIDING PANELS

1. PANEL WIDTH: 24"
2. PANEL ATTACHMENT: EXPOSED FASTENING SYSTEM
3. RIB SPACING: 2 5/8" OC
4. RIB HGT: 1/2"
5. FINISH: GALVALUME PLUS
6. GAUGE: 29 GAUGE
7. FINISH: SMOOTH



The applicant provided the following color renderings of the subject building:



Facing Atlanta Highway and the Railroad Tracks.



Facing Railroad Avenue.

Subject: Review of Code Section 10.7 Application

The application of Code Section 10.7 should be reviewed with consideration that the building in question is an existing structure, previously used as a cabinet shop. This building has long been part of the character of the area between Railroad Avenue and the Norfolk Southern Railway, where most structures feature metal facades.

While the current condition of the building has deteriorated, requiring upgrades to the foundation and framing to be occupiable, its metal construction aligns with the historical character of the area. Typically, a metal building would be non-compliant; however, the code section allows for architectural designs to reflect the surrounding area's character. In this case, retaining a metal exterior would honor the building's history and maintain the corridor's aesthetic.

That said, there are other ways to achieve compliance with Code Section 10.7. For example:

- The façade parallel to Railroad Avenue is a continuous wall plane. To break up its length, the architect could incorporate windows and doors. While it may be challenging to add



- fenestrations due to the existing foundation, elements similar to those on the railroad-facing façade could be introduced.
- Landscaping shrubs could also be added to the grassed area between the building and the road to enhance visual appeal.

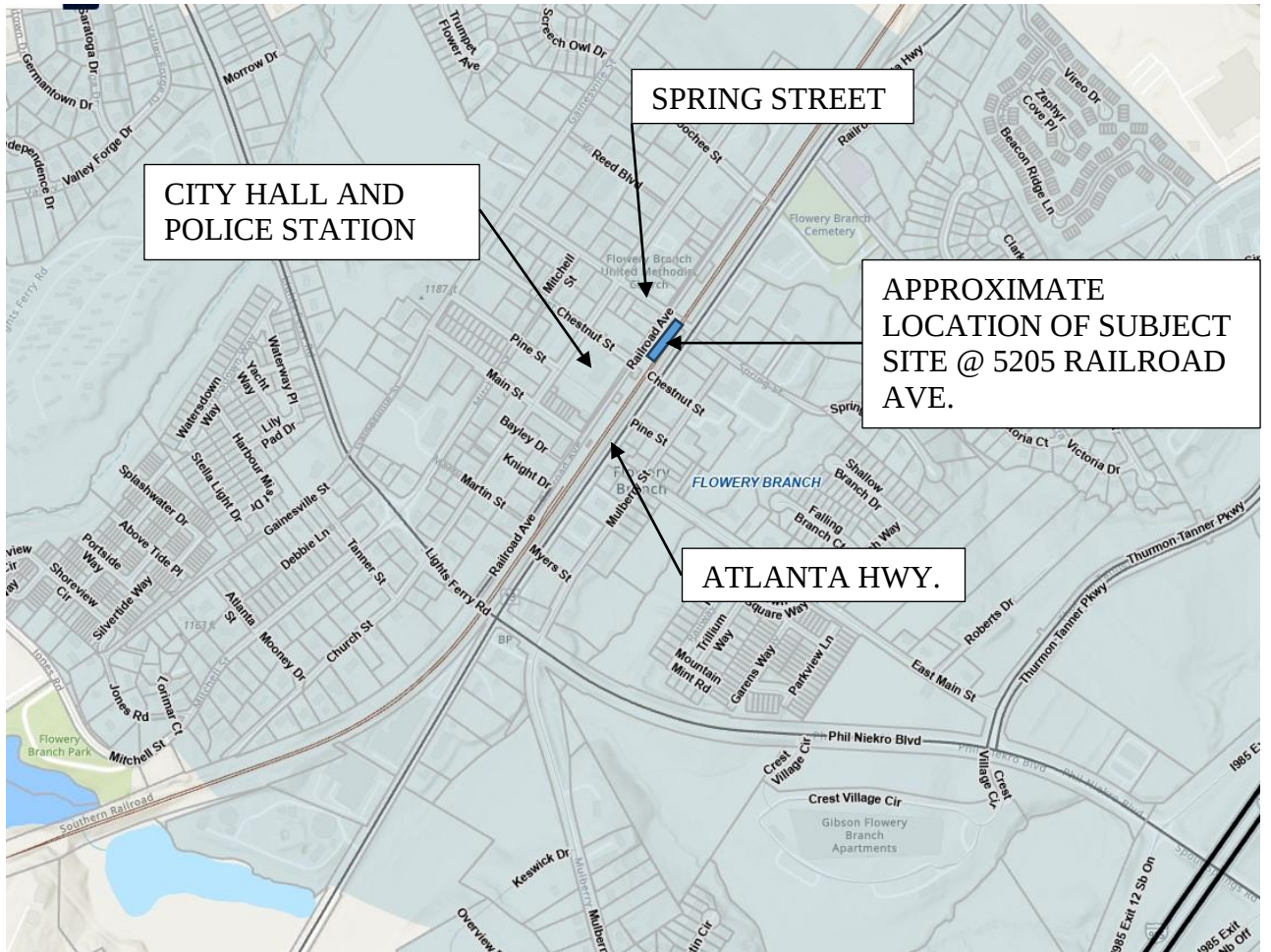
These design decisions would bring the structure closer to compliance while preserving its historic character.

Per the illustrations, the color of the Galvalume Plus metal siding appears to be a tan color with the roof material a darker grey. The architectural design prohibits highly reflective, shiny, or mirror-like materials.



Location Map:

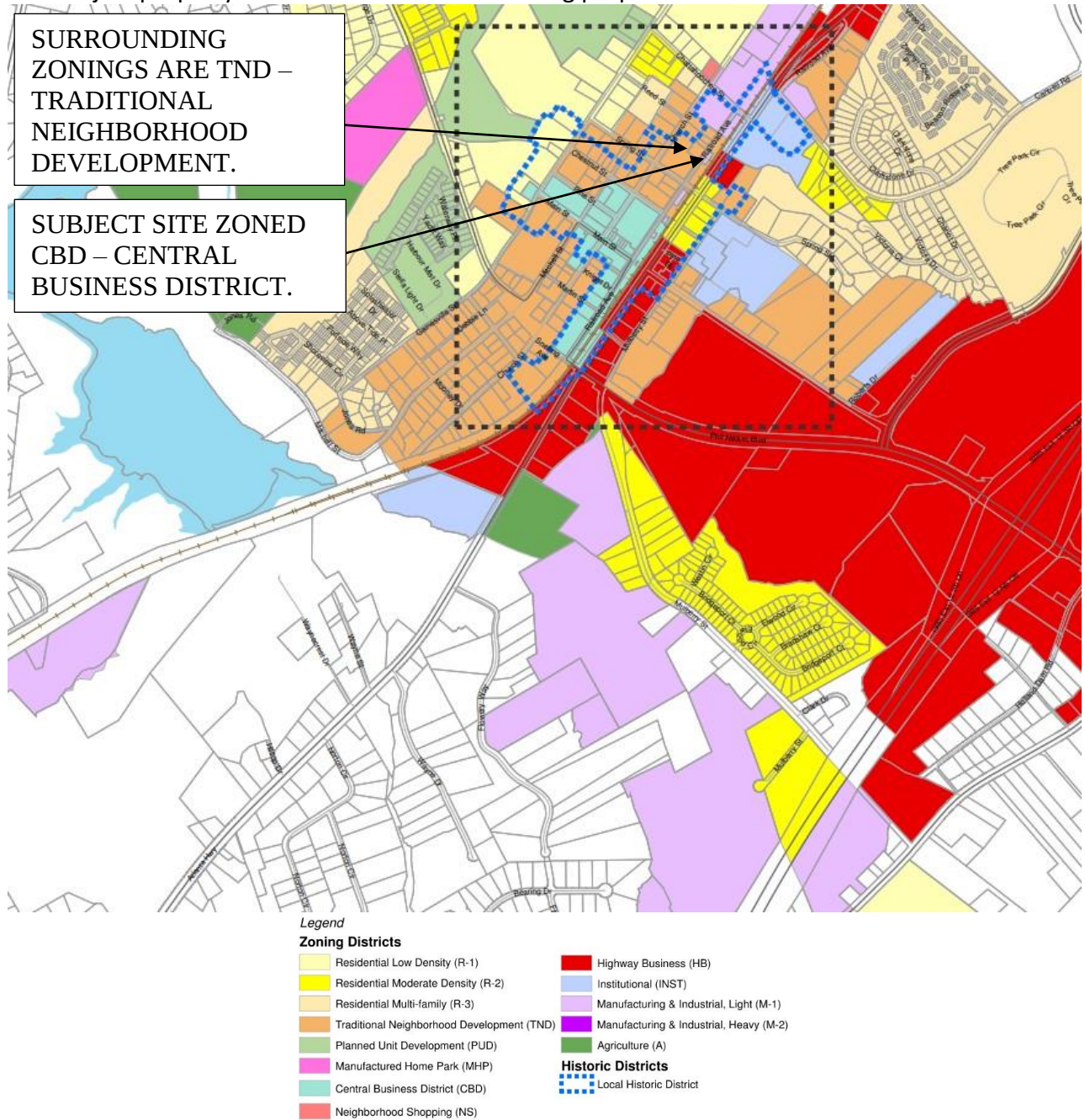
The subject site is located at 5205 Railroad Avenue near the intersection of Spring Street.





Zoning Map:

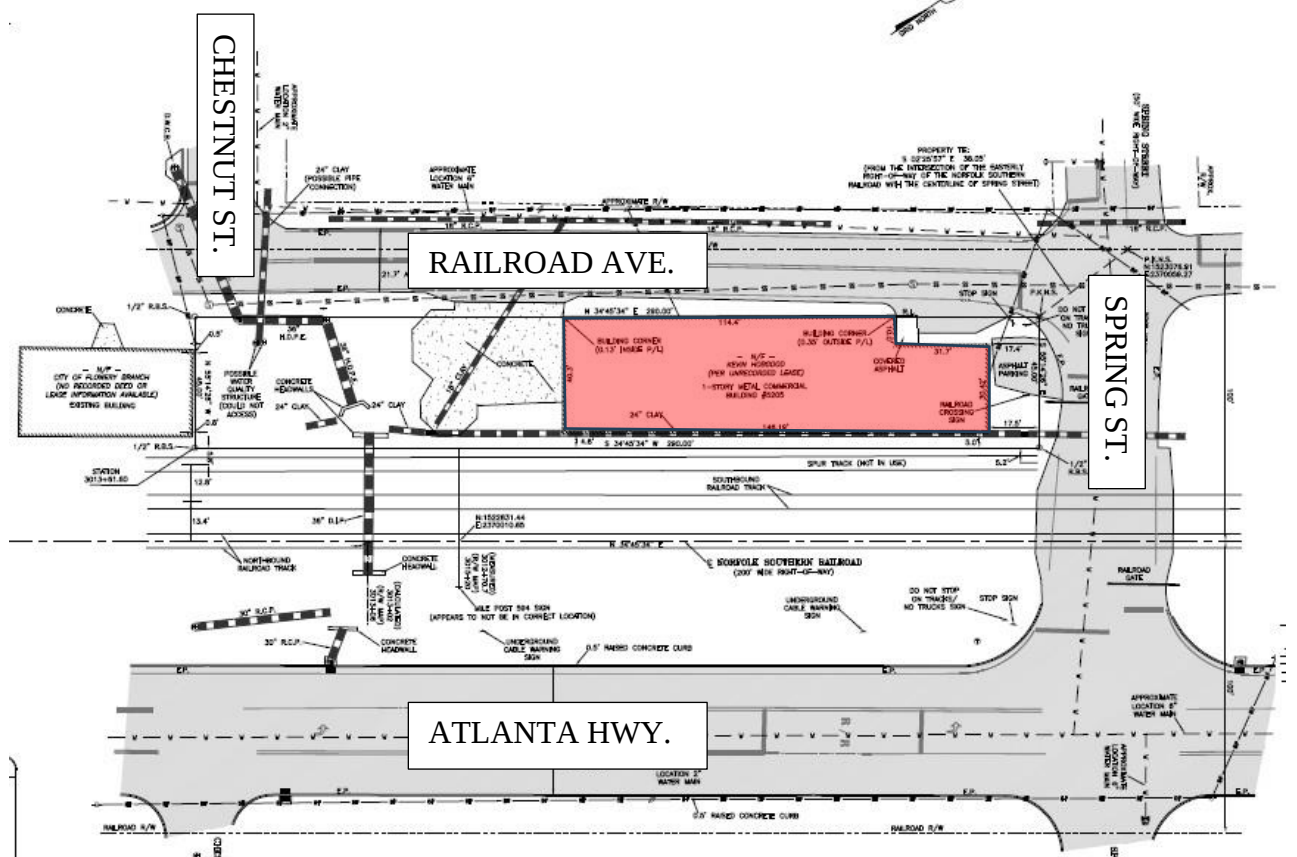
The subject property is zoned CBD. The surrounding properties are zoned TND.





Survey:

The survey provided with the CUP application shows the building relative to the property line but not the parking locations. A more current survey may be required prior to the issuance of permits.





Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to the Zoning Administrator in making recommendations and by the City Council in the decision-making process.

- a) *Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
Directly adjacent to the subject site are existing single-family residential uses. Most commercial uses nearby are further west on Railroad Avenue near Main Street.
- b) *Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.*
A higher intensity use, such as a restaurant, pub, or tavern could adversely impact the adjacent single-family residential uses that have only been adjacent to an unoccupied building.
- c) *Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has reasonable economic use as currently zoned.*
The building is not occupied. Allowing the CUP would help the building be more economically viable.
- d) *Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The proposed use will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Parking within the right-of-way of Railroad Avenue should be prohibited to not impact traffic patterns along the roadway.
- e) *Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.*
The proposed micro-brewery would be in conformity with the policy and intent of the comprehensive plan.



- f) *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 proposal.*
There are no other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.
- g) *Existing use(s) and zoning of the subject property and nearby properties.*
Zoning adjacent to the subject building is zoned TND for single-family residential. The railroad is to the rear and no other uses are located on the sides.
- h) *Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.*
The applicant did not provide data indicating the change to property value. The applicant did not provide the length of time that the building area has been vacant.
- i) *Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.*
The proposed use should have no impact on the value or improvement of development of adjacent property.
- j) *The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.*
The subject site is already zoned CBD.
- k) *Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.*
The applicant provided limited architectural details. The existing building is constructed with corrugated metal siding. There is not enough detail to understand how the construction will change the character of the area.
- l) *The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.*



The applicant is subject to the requirements of an LDP including erosion control during land disturbance.

- m) *The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.*

The proposed CUP will have no impact on the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.

Staff Recommendation for Conditional Use Permit (CUP) & Certificate of Appropriateness

Recommendation:

Staff recommends **approval** of a **Certificate of Appropriateness** with the following conditions:

1. The building materials shall be similar to the information provided in note 1 on the building elevations.
2. The applicant shall add more wall openings adjacent to Railroad Avenue to break up the wall plane. It should be similar to the elevation facing Atlanta Highway. Final design to be approved by the Planning and Community Development Director.
3. The building finish shall be Galvalume Plus similar in color to the existing building maintaining the character of the building. The finish shall not be reflective or mirror-like finish. The applicant shall provide a sample of the material with colors for approval by the Planning and Community Development Director.
4. The applicant shall provide architectural details of the windows and doors including material and color. Final design to be approved by the Planning and Community Development Director.
5. The applicant shall provide details of the stepped decking and handicap ramps at the entrance for review of material and colors. Final design to be approved by the Planning and Community Development Director.

Staff recommends **approval** of the proposed **Conditional Use Permit (CUP)** for the operation of a micro-brewery located within the existing building at 5205 Railroad Avenue with the following conditions:

Conditions of Approval:

1. The Conditional Use Permit is issued to the entity obtaining the business license and should the occupant vacate the building, the Conditional Use Permit expires.
2. Adequate parking spaces shall be provided to support the proposed micro-brewery and restaurant per the requirements of Table 21.3. The applicant shall provide a parking plan



- with a combination of proposed parking, street parking along Spring Street, and shared parking with any privately owned entity. The Planning and Community Development Director shall be provided a copy of the shared parking agreement should the applicant arrange approval of shared parking.
3. All parking spaces proposed must be compliant with Article 21.
 4. The approval of the Conditional Use Permit does not provide approval of variances to Federal, State, or Local codes and regulations.
 5. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.
 6. The building plans shall be substantially similar to the area use breakdown provided by the applicant: The building is +/- 8,700 square feet. 2,000 square feet of brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.

Public Hearing Published	01/08/2025	First Reading	02/06/2025
Public Hearing	02/06/2025	Second Reading	03/20/2025

ORDINANCE NO. 730

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT (CUP) TO OPERATE A MICRO-BREWERY ON A PARCEL OF REAL PROPERTY OWNED BY KEVIN HOBGOOD, IDENTIFIED AS 5205 RAILROAD AVE., TAX PARCEL 08112 016001, TOTALING 0.30+/- ACRES AND AS SHOWN ON ATTACHED EXHIBIT “A”, AND AS CONDITIONED ON ATTACHED EXHIBIT “B”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Kevin Hobgood owns a parcel of land totaling 0.30+/- acres identified as Parcel Tax Identification No. 08112 016001, as shown and described on Exhibit “A”; and

WHEREAS, the subject property is zoned Central Business District and located in the Downtown Overlay District thus requiring a conditional use permit in order to be used as a micro-brewery; and

WHEREAS, Kevin Hobgood, has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting a conditional use permit (CUP) for the operation of a micro-brewery; and

WHEREAS, the City Council held a public hearing at the meeting of February 6, 2025 duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed conditional use permit request is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.
3. The property could be used in accordance with the existing regulations and has a reasonable economic use as without the issuance of a conditional use permit however, an alternative use is appropriately considered.

4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is generally in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between a development with or without a conditional use permit.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the issuance of a conditional use permit on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. APPROVAL OF CUP AND LEGAL DESCRIPTIONS.

A conditional use permit to operate a micro-brewery is hereby granted for the subject parcel, as shown and described on Exhibit “A”, subject to the conditions set forth in Exhibit “B”. Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be March 6, 2025.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 20th day of March, 2025.

Edward R. Asbridge, Mayor

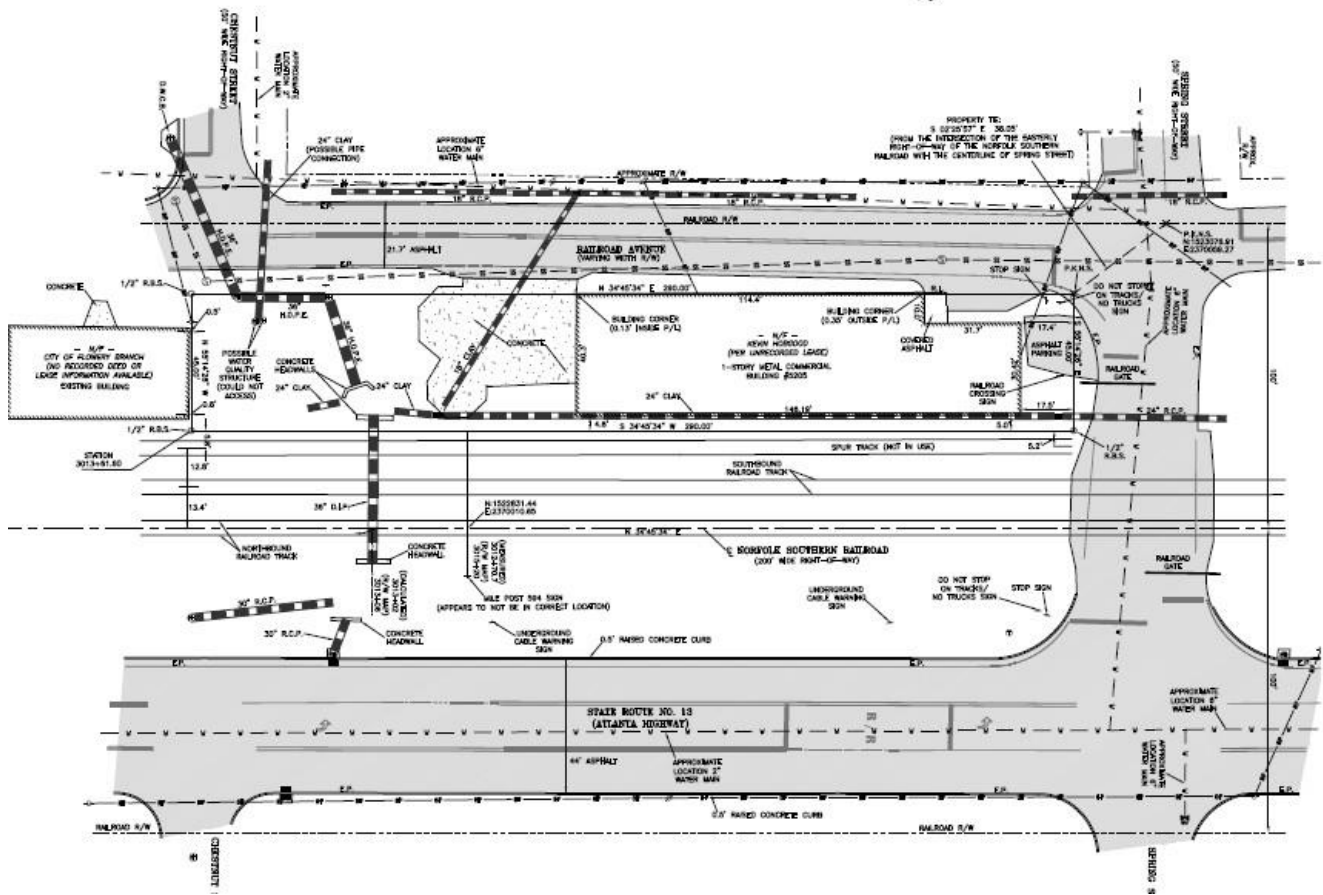
ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Ted C. Baggett, City Attorney

Exhibit A



Legal Description

All that tract or parcel of land lying and being in Land Lot 112, 8th Land District, City of Flowery Branch, Hall County, Georgia as shown on a plat prepared by Patton Land Surveying, LLC, for Kevin Hobgood, dated December 17th, 2024 and being more particularly described as follows:

Commencing at a PK Set at the intersection of the Easterly right-of-way line of the Norfolk Southern Railroad & the centerline of Spring Street (50' wide right-of-way), located at Georgia State Plane Coordinate Northing 1523076.91, Easting 2370059.27, Georgia West Zone, North American Datum of 1983/2007 adjustment, THENCE South 02 degrees 25 minutes 57 seconds East for a distance of 38.05 feet to a PK Nail set, and said point being the TRUE POINT OF BEGINNING.

Thence South 55 degrees 14 minutes 26 seconds East for a distance of 45.00 feet to a 1/2" rebar pin set; Thence South 34 degrees 45 minutes 34 seconds West for a distance of 290.00 feet to a 1/2" rebar pin set; Thence North 55 degrees 14 minutes 26 seconds West for a distance of 45.00 feet to a 1/2" rebar pin set; Thence North 34 degrees 45 minutes 34 seconds East for a distance of 290.00 feet to a PK Nail set and said point being the POINT OF BEGINNING.

Said property contains 0.30 acres more or less.

Exhibit B

Conditions of Conditional Use Permit

1. The Conditional Use Permit is issued to the entity obtaining the business license and should the occupant vacate the building, the Conditional Use Permit expires.
2. Adequate parking spaces shall be provided to support the proposed micro-brewery and restaurant per the requirements of Table 21.3. The applicant shall provide a parking plan with a combination of proposed parking, street parking along Spring Street, and shared parking with any privately owned entity. The Planning and Community Development Director shall be provided a copy of the shared parking agreement should the applicant arrange approval of shared parking.
3. All parking spaces proposed must be compliant with Article 21.
4. The approval of the Conditional Use Permit does not provide approval of variances to Federal, State, or Local codes and regulations.
5. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.
6. The building plans shall be substantially similar to the area use breakdown provided by the applicant: The building is +/- 8,700 square feet. 2,000 square feet of brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.

Public Hearing Published 01/08/2025
Public Hearing 02/06/2025

First Reading 02/06/2025
Second Reading 03/20/2025

ORDINANCE NO. 730

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT (CUP) TO OPERATE A MICRO-BREWERY ON A PARCEL OF REAL PROPERTY OWNED BY KEVIN HOBGOOD, IDENTIFIED AS 5205 RAILROAD AVE., TAX PARCEL 08112 016001, TOTALING 0.30+/- ACRES AND AS SHOWN ON ATTACHED EXHIBIT “A”, AND AS CONDITIONED ON ATTACHED EXHIBIT “B”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Kevin Hobgood owns a parcel of land totaling 0.30+/- acres identified as Parcel Tax Identification No. 08112 016001, as shown and described on Exhibit “A”; and

WHEREAS, the subject property is zoned Central Business District and located in the Downtown Overlay District thus requiring a conditional use permit in order to be used as a micro-brewery; and

WHEREAS, Kevin Hobgood, has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting a conditional use permit (CUP) for the operation of a micro-brewery; and

WHEREAS, the City Council held a public hearing at the meeting of February 6, 2025 duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed conditional use permit request is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.
3. The property could be used in accordance with the existing regulations and has a reasonable economic use as without the issuance of a conditional use permit however, an alternative use is appropriately considered.

4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is generally in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between a development with or without a conditional use permit.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the issuance of a conditional use permit on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. APPROVAL OF CUP AND LEGAL DESCRIPTIONS.

A conditional use permit to operate a micro-brewery is hereby granted for the subject parcel, as shown and described on Exhibit “A”, subject to the conditions set forth in Exhibit “B”. Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be March 20, 2025.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 20th day of March, 2025.

Edward R. Asbridge, Mayor

ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Ted C. Baggett, City Attorney

All that tract or parcel of land lying and being in Land Lot 112, 8th Land District, City of Flowery Branch, Hall County, Georgia as shown on a plat prepared by Patton Land Surveying, LLC, for Kevin Hobgood, dated December 17th, 2024 and being more particularly described as follows:

**Thence South 55 degrees 14 minutes 26 seconds East for a distance of 45.00 feet to a 1/2" rebar pin set;
Thence South 34 degrees 45 minutes 34 seconds West for a distance of 290.00 feet to a 1/2" rebar pin set;
Thence North 55 degrees 14 minutes 26 seconds West for a distance of 45.00 feet to a 1/2" rebar pin set;
Thence North 34 degrees 45 minutes 34 seconds East for a distance of 290.00 feet to a PK Nail set and
said point being the POINT OF BEGINNING.**

Exhibit B

Conditions of Conditional Use Permit

1. The Conditional Use Permit is issued to the entity obtaining the business license and should the occupant vacate the building, the Conditional Use Permit expires.
2. Adequate parking spaces shall be provided to support the proposed micro-brewery and restaurant per the requirements of Table 21.3. The applicant shall provide a parking plan with a combination of proposed parking, street parking along Spring Street, and shared parking with any privately owned entity. The Planning and Community Development Director shall be provided a copy of the shared parking agreement should the applicant arrange approval of shared parking.
3. All parking spaces proposed must be compliant with Article 21.
4. The approval of the Conditional Use Permit does not provide approval of variances to Federal, State, or Local codes and regulations.
5. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.
6. The building plans shall be substantially similar to the area use breakdown provided by the applicant: The building is +/- 8,700 square feet. 2,000 square feet of brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the Second Reading of Ordinance 733 for a Text Amendment to Add Sections 6.5 and Section 6.6; Text Amendment to Revise Table 6.1, Table 6.2 within Article 6, Article 12 Section 12.6 and definitions in Article 2, Section 2.1.

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

Ordinance 733 Public Hearing was held on February 20, 2025, Discussion on March 6, 2025, Second Reading on March 20, 2025

FACTS AND ISSUES:

Pursuant to Ordinance 733, Article 6 is hereby proposed to be amended to incorporate the Single-Family Townhome District (SF-TH) and Residential Multi-Unit (RMU) classifications. The permitted uses for each district are delineated in Sections 6.5 and 6.6. Additionally, Table 6.1 has been revised to reflect the permitted and conditional uses applicable to these classifications, and Section 6.2 has been amended to include the dimensional requirements for both SF-TH and RMU districts. Notwithstanding these amendments, the design requirements remain unchanged; for example, no building shall be permitted to contain more than six (6) townhome units. All applicable architectural standards remain in full force and shall be applied to all permit applications. Update to Article 12, Section 12.1 Townhomes, Updates and additions to Definitions as needed per this Ordinance in Article 2, Section 2.1.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 733

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

Planning

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary Changes to Ordinance 733 Article 6 - Article 12 - Article 2 from Public Hearing 3-20-2026.pdf](#)
- [Ordinance 733 \(Article 6 - Article 12\) March 20 2025.pdf](#)



Memorandum

To: City of Flowery Branch, Mayor, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: March 20, 2025

Subject: Executive Summary of Ordinance 733

The following items were adjusted in Ordinance 733 since the Public Hearing on February 20th, 2025 and discussion on March 6th, 2025.

For the apartment height. I was asked to look at 3 stories maximum height. I would like to give an opportunity for 3-4 splits when the topography makes a basement type construction more reasonable. 3 stories on the front and 4 in the back. We also need to look at maximum height with the maximum stories:

The total height of a **four-story residential apartment building**, including the roof peak, depends on several factors such as ceiling height, floor thickness, and roof design. Here's a general estimate:

Standard Breakdown:

- **Typical floor height:** ~10 feet per floor
- **Total for 4 floors:** ~40 feet
- **Floor structure thickness (between floors):** ~1–2 feet total
- **Roof peak height:**
 - **Flat roof:** Minimal extra height (~1–3 feet for parapet or mechanical structures)
 - **Gable/pitched roof:** ~10–15 feet at the peak

Total Estimated Height:

- **Flat Roof:** ~42–45 feet



- **Pitched Roof:** ~50–60 feet

Flowery Branch code does not define the height of a building so I must measure the height as the lowest point to the top of the roof pitch. On a 3-4 basement split we would need to allow 55' tall buildings. I will propose the maximum stories of the building like this: 3 stories on slab; 3-4 split on a basement construction.

For SF-TH townhomes:

Minimum side setback, interior lot line, all principal buildings (feet): 10 (min. 20 between buildings). On February 20th I presented 5 (min. 10 between buildings). Minimum rear setback, all principal buildings (feet) - 20; minimum distance of 25 from garage to sidewalk or back of curb for rear entry garages (whichever is greater). On February 20th I had just 20 for rear setbacks on the townhome zoning dimensional standards.

Minimum lot width (feet) from 20-feet to "Unit width plus side setback on end units." Added minimum unit (feet) width as 24 wide with rear entry garage; 26 wide with front entry garage.

Section 12.6

In order to be consistent with the changes made to the townhome dimensional standards Section 12.6 in Article 12 needed to be revised.

Sec. 12.6. Townhouses.

In zoning districts where permitted, fee-simple townhouses shall meet the following requirements:

- Lot Frontage and Lot Width.* Each platted lot shall have a minimum of twenty (20) feet of frontage on a public street or private road that meets public street standards, and each lot shall have a minimum lot width of ~~twenty (20) feet~~ **unit width plus side setback on end units.**
Consistent with Article 6
- Unit Width.* Each rear entry garage townhome shall have a minimum width of 24 feet and each front entry garage townhome shall have a minimum width of 26 feet. **Added as a new definition**



- ~~(b)~~(c) *Lot Size*. The minimum size of a lot for each fee-simple townhouse lot (i.e., the extent of land owned by the owner of the unit) shall be 2,000 square feet in lot area. **Reordered paragraphs after addition of new paragraph (b).**
- ~~(c)~~(d) *Front Building Setbacks*. There shall be a minimum twenty-five (20) (25) foot front setback from any perimeter boundary of the fee-simple townhouse subdivision and a 30 foot front setback from any public or private street exterior to or within the subdivision. **Increased to 25 to be consistent with Article 6.**
- ~~(d)~~(e) *Side Setbacks and Zero Lot Line*. Zero lot line between units within the same building shall be permitted, subject to applicable fire and building codes.
- ~~(e)~~(f) *Rear Setbacks*. There shall be a minimum twenty (20) foot rear setback from townhouse lot boundaries for all buildings and structures, except when the rear property line abuts an alley, in which case **no setback shall be required a minimum distance of twenty-five (25) foot from garage to sidewalk or back of curb for rear entry garages. Added 25' setback from garage to alley on rear entry garages.**

In **Article 2** (Definitions and Interpretations), **Section 2.1** (Use Definitions) revise definition of Dwelling, two-family (duplex), remove definition Dwelling multifamily, add definition Dwelling, residential multi-unit, add definition Dwelling, three-family (triplex), add definition Dwelling, single-family attached townhome.

ORDINANCE NO. 733

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FLOWERY BRANCH, GEORGIA, ORDINANCE NO. 733, TO ADD SECTION 6.5 (SF-TH, SINGLE FAMILY ATTACHED TOWNHOME DISTRICT) AND SECTION 6.6 (RMU, RESIDENTIAL MULTI-UNIT) WITHIN ARTICLE 6, TO STRIKE IN ITS ENTIRETY TABLE 6.1 (PERMITTED AND CONDITIONAL USES IN AGRICULTURAL AND CONVENTIONAL RESIDENTIAL ZONING DISTRICTS) AND TABLE 6.2 (DIMENSIONAL REQUIREMENTS FOR AGRICULTURAL AND CONVENTIONAL RESIDENTIAL ZONING DISTRICTS) WITHIN ARTICLE 6, TO ADD A NEW TABLE 6.1 (PERMITTED AND CONDITIONAL USES IN AGRICULTURAL AND CONVENTIONAL RESIDENTIAL ZONING DISTRICTS) AND TABLE 6.2 (DIMENSIONAL REQUIREMENTS FOR AGRICULTURAL AND CONVENTIONAL RESIDENTIAL ZONING DISTRICTS) WITHIN ARTICLE 6, TO STRIKE IN ITS ENTIRETY SECTION 12.6 (TOWNHOMES) IN ARTICLE 12 (REQUIREMENTS FOR SPECIFIC RESIDENTIAL PRINCIPAL BUILDINGS AND USES), TO ADD A NEW SECTION 12.6 (TOWNHOMES) IN ARTICLE 12, TO ADD NEW DEFINITIONS TO SECTION 2.1 (USE DEFINITIONS) OF ARTICLE 2, AS SHOWN ON ATTACHED EXHIBIT "A"; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, the Zoning Ordinance of the City of Flowery Branch, Georgia, authorizes the amendment of the text of the City of Flowery Branch Zoning Ordinance by the City Council; and

WHEREAS, the Zoning Administrator is authorized, pursuant to Section 33.2 of the Zoning Ordinance, to initiate an amendment to the Zoning Ordinance for consideration by the City Council; and

WHEREAS, it is in the public interest to update existing codes; and

WHEREAS, the changes to the code enhance the health, safety, and overall general welfare of the citizens of Flowery Branch; and

WHEREAS, the City has complied with the Zoning Procedures Law and the requirements of Article 33 of the Zoning Ordinance with regard to text amendments, including the holding of an advertised public hearing; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS THAT THE FLOWERY BRANCH ZONING ORDINANCE IS AMENDED AS FOLLOWS:

SECTION 1. AMENDMENT.

Add Section 6.5 (SF-TH – Single Family Attached Townhome District) and Section 6.6 (RMU – Residential Multi-Unit), strike in its entirety Table 6.1 (Permitted and Conditional Uses in Agricultural and Conventional Residential Zoning Districts) and Table 6.2 (Dimensional Requirements for Agricultural and Conventional Residential Zoning Districts) within Article 6 to be replaced with Table 6.1 (Permitted and Conditional Uses in Agricultural and Conventional Residential Zoning Districts) and Table 6.2 (Dimensional Requirements for Agricultural and Conventional Residential Zoning Districts) within Article 6, strike in its entirety Section 12.6 (Townhomes) in Article 12 (Requirements For Specific Residential Principal Buildings and Uses) to be replaced with a new Section 12.6 (Townhomes), in Article 2 (Definitions and Interpretations), Section 2.1 (Use Definitions) revise the definition of *Dwelling, two-family (duplex)*, remove definition of *Dwelling multifamily*, add definition of *Dwelling, residential multi-unit*, add definition *Dwelling, three-family (tri-plex)*, add definition of *Dwelling, single-family Attached Townhome*, as shown on Exhibit “A”.

SECTION 2. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 3. EFFECTIVE DATE.

The effective date of this Ordinance shall be upon approval by the City Council of the City of Flowery Branch, Georgia.

SECTION 4. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 20th day of March, 2025.

Edward R. Asbridge, Mayor

ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted Baggett, City Attorney

Exhibit "A"

Article 6

Sec. 6.5 – SF-TH, Single Family Attached Townhome District

- (a) *Purpose and Description.* This zoning district is intended exclusively for the development and construction of single family attached townhomes in accordance with the comprehensive plan. This district is also intended to implement the "urban density community" character area established in the comprehensive plan. The regulations that apply to the SF-TH district are designed to encourage the formation and continuance of a stable, healthy, and attractive living environment for its residents.
- (b) *Permitted and Conditional Uses.* Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses in Agricultural and Conventional Residential Zoning Districts."
- (c) *Dimensional Requirements.* Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements in Agricultural and Conventional Residential Zoning Districts."
- (f) *Design Requirements.* See Articles 10, 12, and 40 of this Zoning Ordinance.

Sec. 6.6. – RMU Residential Multi-Unit

- (a) *Purpose and Description.* This zoning district is intended to implement the "multi-unit-family residential" designation of the future land use plan contained within the comprehensive plan of the City of Flowery Branch. It is also intended to implement the "urban density communities" character area established in the comprehensive plan.
- (b) *Permitted and Conditional Uses.* Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses in Agricultural and Conventional Residential Zoning Districts."
- (c) *Dimensional Requirements.* Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements in Agricultural and Conventional Residential Zoning Districts."
- (d) *Design Requirements.* See Articles 10, 12, and 40 of this Zoning Ordinance.
- (e) *Parking Requirements.* See Articles 21.

Table 6.1
Permitted and Conditional Uses in
Agricultural and Conventional Residential Zoning Districts
(P = Permitted Use C = Conditional Use X = Prohibited)

Use	A	R-1	R-2	MHP	SF-TH	RMU
Accessory apartment, attached	X	X	C	X	X	C
Accessory apartment, detached	X	C	C	X	X	C
Accessory building, structure, or use	P	P	P	P	X	P
Agriculture, production of field crops, fruits, nuts, and vegetables	P	P	X	X	X	X
Agriculture, raising of poultry or livestock	P	C	X	X	X	X
Cemetery	P	C	C	X	X	X
Church, temple, synagogue, or place of worship, including specified accessory uses (see Sec. 14.3) (Ord. 348-11)	C	C	C	X	X	X
Club or lodge, nonprofit, sponsored by a civic or similar organization	C	C	C	X	X	C
Community recreation	P	P	P	P	P	P
Conservation areas and passive recreational facilities	P	P	P	P	P	P
Conservation subdivision	C	C	P	P	X	X
Construction field office (temporary use)	X	X	P	P	P	P
Dwelling, single-family detached, fee-simple	P	P	P	X	P	X
Dwellings, single-family detached, condominium	X	X	X	X	P	X

Use	A	R-1	R-2	MHP	SF-TH	RMU
Dwelling, townhouse (single-family attached, fee-simple)	X	X	X	X	P	X
Dwelling, two-family (duplex); three-family (tri-plex)	X	X	X	X	P	X
Dwelling, multi-family (apartment, attached residential condominium)	X	X	X	X	X	C
Garden, non-commercial, accessory to single-family detached dwelling	P	P	P	X	X	X
Golf course	P	P	P	X	P	C
Guest house (accessory building/use)	P	P	P	X	X	X
Home occupation (Office Use Only)	P	P	P	P	P	P
Horse stables, non-commercial, as accessory to single-family residential use	P	C	X	X	X	X
Leasing or sales office for a subdivision or residential development (accessory or principal use)	P	P	P	P	P	P
Manufactured home, Class A	C	X	X	P	X	X
Model home for single-family subdivision or townhomes (temporary)	P	P	P	X	P	X
Public or semi-public use	P	P	P	X	P	P
School, private, elementary, middle, or high (Ord. 348-11)	C	C	x	X	X	X
School, special	C	X	x	X	X	X
Temporary use	P	P	P	X	P	P

Table 6.2
Dimensional Requirements for Agricultural and
Conventional Residential Zoning Districts

Requirement (measurement unit)	A	R-1	R-2	MHP	SF-TH	RMU
Maximum height (feet)	75	35	35	35	35	55
Maximum height (number of stories)	3	3	3	1	3	3 stories on slab; 3-4 split on a basement construction. Front elevation 3 story.
Maximum density (units per acre)	0.333	2.18	4	4	6	10
Minimum lot size for detached single- family dwelling (square feet) (1)	130,680	20,000	15,000	10,000	6,700	N/A
Minimum lot size for attached townhome, duplex and triplex (square feet) (1)	N/A	N/A	N/A	N/A	3,500	N/A
Minimum lot size for other uses (square feet) (1)	130,680	43,560	15,000	10,000	10,000	10,000
Minimum lot width for detached single- family. (square feet) (1)	200	90	75	50	40	N/A
Minimum unit width (feet) for single-family attached townhomes, duplex and tri-plex.	N/A	N/A	N/A	N/A	24 wide with rear entry garage; 26 wide with front entry garage.	N/A

Minimum heated floor area per dwelling unit (square feet)	2,500	2,200	2,000	1,000	1,500	1,000
Minimum front yard setback from lot line, all principal buildings, (feet)	80	35	25	25	25 (0 if dwellings are alley accessed with rear entry garages)	25
Minimum side setback, interior lot line, all principal buildings (feet)	25	25	15	20	10 (min. 20 between buildings)	20 (min. 10 between buildings)
Minimum side setback, corner lot, all principal buildings (feet)	60	35	25	20	10	20
Minimum rear setback, all principal buildings (feet)	35	25	20	20	20; minimum distance of 25' from garage to sidewalk or back of curb for rear entry garages.	20
Minimum setback, all principal or accessory buildings and structures abutting residential	Side and rear setbacks shall apply	50	50	100	50	50
Minimum width of natural buffer abutting residential	None			40	35	50
Minimum landscape strip required along rights-of-way for any nonresidential	15	15	10	10	20	20

use if permitted (width in feet)						
Minimum landscape strip required along rights-of-way for any apartment or condominium (residential multi- unit) use (width in feet)	N/A	N/A	N/A	N/A	N/A	20
Minimum landscape strip required along side property lines for any nonresidential use if permitted (width in feet)	5	5	5	5	5	5
Maximum coverage of principal and accessory buildings (percent of lot)	25	25	35	50	75	50
Minimum landscaped open space, all principal uses except detached, single- family residential lots (percent)	20	20	15	15	15	20

(1) Where an on-site sewerage system is used, minimum lot size requirements of the Hall County Environmental Health Department shall be required and may exceed these requirements.

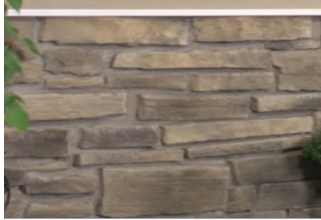
Article 12

Sec. 12.6. Townhouses.

In zoning districts where permitted, fee-simple townhouses shall meet the following requirements:

- a) *Lot Frontage and Lot Width.* Each platted lot shall have a minimum of twenty (20) feet of frontage on a public street or private road that meets public street standards, and each lot shall have a minimum lot width of unit width plus side setback on end units.
- b) *Unit Width.* Each rear entry garage townhome shall have a minimum width of 24 feet and each front entry garage townhome shall have a minimum width of 26 feet.
- c) *Lot Size.* The minimum size of a lot for each fee-simple townhouse lot (i.e., the extent of land owned by the owner of the unit) shall be 2,000 square feet in lot area.
- d) *Front Building Setbacks.* There shall be a minimum twenty-five (25) foot front setback from any perimeter boundary of the fee-simple townhouse subdivision and a 30-foot front setback from any public or private street exterior to or within the subdivision.
- e) *Side Setbacks and Zero Lot Line.* Zero lot line between units within the same building shall be permitted, subject to applicable fire and building codes.
- f) *Rear Setbacks.* There shall be a minimum twenty (20) foot rear setback from townhouse lot boundaries for all buildings and structures, except when the rear property line abuts an alley, in which case a minimum distance of twenty-five (25) foot from garage to sidewalk or back of curb for rear entry garages.
- g) *Building Separation.* There shall be a minimum building separation of twenty (20) feet between townhouse buildings.
- h) *Building Unit Offsets.* To avoid a monotonous appearance, for any given building, no more than six (6) units may have common walls. Any building containing more than three (3) units with common walls must have the front façade, rear façade, and the roof of each attached unit distinct from the other through separation, staggering, or offsets in design. A minimum of two (2) exterior colors shall be used on buildings containing up to four (4) units, and a minimum of three (3) exterior colors shall be used on buildings containing five (5) or six (6) units; however, when all exteriors are unpainted brick, they shall not be required to vary in color. See also Sec. 12.6.(k)1.
- i) *Rear Access.* Townhouse developments shall be designed to provide proper access to all dwelling units for firefighting purposes, as may be determined by applicable codes. Rear access, if required for firefighting purposes or by Subsection (n) below, shall be accomplished by alleys.
- j) *Parking.* Two enclosed parking spaces minimum per unit shall be provided.
- k) *Subdivision Plat Approval.* Each townhouse development or phase thereof shall require preliminary and final subdivision plat approval in accordance the City of Flowery Branch Subdivision and Land Development Ordinance.
- l) *Wall Finishes.*
 - 1. Exterior wall finish materials (excluding foundations, trim, windows and doors) shall be limited to: real brick (full-depth or thin brick), unpainted natural stone, unpainted cast stone, true three-coat cement stucco, natural wood or cementitious siding including lap siding and board and batten; and wood or cementitious shakes and shingles. A horizontal accent strip (i.e., band board or belly board / band) shall be used when there is a change in material. Each dwelling unit is limited to two of the allowed wall finishes listed in this subsection and one paint color. Adjoining or adjacent units shall not be the same exterior color.

The following are illustrative examples of wall finishes that DO NOT meet the requirements of this section:



Faux Stone Veneer



Faux Brick Veneer



Vinyl Siding

2. All street-facing façades shall meet the following requirements:

- a. Each applicable façade shall have: a minimum of 5% transparency (defined as the minimum percentage of windows and doors that must cover a ground or upper story façade) of the total wall area; and, a maximum of 20 feet of blank wall area (defined as the portion of the exterior façade of a building that does not include windows or doors; pilasters or other articulation greater than 12 inches in depth; or a substantial change in material) in either a vertical or horizontal direction.
- b. False windows may count toward the transparency requirement where they are similar in size, shape, and materials to other windows on that building and consist of trim with closed shutters that have the appearance of a shuttered window or windows. A single louvered panel with trim may also count toward this requirement. False windows shall not be allowed to count toward this requirement unless shutters adjacent to a true window or windows are also provided on another exterior wall.

- (m) *Foundation Walls.* Exposed foundation walls must be faced in real brick or real stone to the level of the first finished floor when there is a basement or at least 24 inches above grade for the entire perimeter wall when the building has a slab on grade. Faux brick or stone foundation panels are prohibited.

The following are illustrative examples of foundation walls that DO NOT meet the requirements of this section:

		
Faux Brick Foundation Panel	Foundation wall missing/ insufficient height on the side	Foundation wall is only located on the front façade

- (n) *Roof Materials.* Pitched roofs shall be finished in either architectural shingles or standing seam metal roofs.

(o) *Garage Placement and Materials.*

1. Where townhouse developments abut public streets, lots fronting onto these streets shall address garage placement as follows: the front façade of the townhouse shall face the public street, and garages shall be rear-loaded.

2. Where front-loaded garages are allowed, garage doors shall be carriage-style (both the door style/paneling as well as the hardware) and may either:
 - a. Recess at least one foot behind the front wall plane of the dwelling unit and the front entrance. When the garage door is recessed less than one foot, there shall be required a garage eyebrow treatment (trellis, pergola, roof, or a second-story architectural feature) that extends at least one foot beyond the garage face.
 - b. Project beyond the front wall plane and the front entrance upon providing a garage eyebrow treatment (trellis, pergola, roof, or second-story architectural feature) that extends at least one foot beyond the garage face, as well as decorative lighting that is mounted above or to the sides of the garage door.
3. All front-loaded garages shall be finished in real brick or real stone. The finish shall cover the entire façade of a projecting garage. When garage doors are recessed in accordance with Sec. (n)2.a. above, the façade of the ground floor shall be finished in the required material(s).
4. Single-story detached garages that meet the requirements of subsections (k), (l) and (m) above and are placed to the rear of the building(s) are allowed in lieu of attached garages.

The following are illustrative examples of garage treatments that DO NOT meet the requirements of this section:



Brick or stone is only partially used or is not used at all as the required exterior finish, and carriage-style garage doors are not used. In addition, required elements over the projecting garages (left and middle examples) are missing.

- (p) *Private Open Space.* Private, usable open space, such as balconies, patios, decks, etc. shall be provided contiguous to each dwelling unit. The area of such open space for each dwelling unit shall not be less than 10% of the floor area of the unit served.
 1. Each dwelling unit with a rear-loaded garage shall provide a usable covered porch that runs the entire width of the front façade. The porch shall be at least 6 feet deep (not including steps, if applicable).
 2. Rear patios, decks and porches shall be covered with a roof, pergola, or projecting architectural feature that is designed with materials to match the façade and/or trim of the building.
- (q) *Residential Driveway Length.* Townhouses are required to have a minimum driveway length of twenty-three (23) feet as measured from the back of sidewalk or back of curb, as applicable.
- (r) *Design Review.* See Article 40.

Article 2

Sec. 2.1. – Use Definitions.

Dwelling, Residential Multi-Unit: A building other than a duplex, designed for or occupied exclusively by three (3) or more families or households with separate housekeeping facilities for each family or household. Apartment houses and residential condominium buildings containing two or more units are considered residential multi-units.

Dwelling, Single-Family Attached Townhome or Townhouse: A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Each unit is separated from any other unit by one or more vertical common fire-resistance-rated walls. A townhouse shall have at least two stories.

Dwelling, three-family (triplex): A building containing three and only three dwelling units.

Dwelling, two-family (duplex): A building containing two and only two dwelling units.



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Update on the Construction of the Wastewater Treatment Plant Expansion

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

N/A

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Discussion of Timed Parking Spaces on Main Street and Pine Street.

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

N/A

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider Resolution 25-002 to Amend the City of Flowery Branch Investment Policy.

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

Governmental operations recommend an investment policy. The current investment policy was updated on February 18th, 2020.

FACTS AND ISSUES:

The current investment policy was last updated on February 18th, 2020. It is recommended that policies be reviewed at least every five years. After review, only one change is recommended. The current recommendation is to increase the investments longer than one year from 20% of the portfolio to 30% of the portfolio. No other changes to the policies are recommended. As always, staff will ensure appropriate liquidity is available to maintain current operations.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval

SAMPLE MOTION:

I make a motion to approve Resolution 25-002 to amend the City of Flowery Branch Investment Policy.

COLLABORATING DEPARTMENT:

DEPARTMENT: Finance

Prepared by: Shelia Cooper

ATTACHMENTS

- [Resolution 25-002 To amend the City of Flowery Branch Investment Policy.pdf](#)
- [Investment Policy - 03-03-2025.pdf](#)
- [Executive summary Investment Policy Updated.pdf](#)

RESOLUTION NO. 25-002

TO AMEND THE CITY OF FLOWERY BRANCH INVESTMENT POLICY.

WHEREAS, prudent governmental operations recommend an investment policy in order to effectively invest funds of the City of Flowery Branch; and

WHEREAS, the Mayor and Council of the City of Flowery Branch established the Investment Policy for the City of Flowery Branch on February 18th, 2020; and

WHEREAS, it is a prudent process to review and update city policies every 5 years; and

WHEREAS, city staff has reviewed the investment policy of the City of Flowery Branch at its 5 year mark; and

WHEREAS, the city staff, after careful review, recommends a change to the investments held longer than one year from 20% of the portfolio to 30% of the portfolio; and

NOW THEREFORE BE IT RESOLVED the governing body for the City of Flowery branch hereby adopts the amendments to the City of Flowery Branch Investment Policy and attached hereto and made a part of the Resolution.

SO RESOLVED this 20th day of March 2025.

Edward R. Asbridge, Mayor

ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted Baggett, City Attorney



The City of Flowery Branch

Investment Policy

Purpose

The purpose of this Investment Policy is to comply with Chapter 2256 of the Government Code (“Public Funds Investment Act”), which required each local government to adopt a written investment policy regarding the investment of its funds and funds under its control. The Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management for the City’s funds.

Although the Finance Department is responsible for all financial operations, authority over the Investment policy remains under the discretion of City Council, as indicated by Part 1 - City Charter, Article VIII, §8.1.

Section 1: Goals and Scope

Goals

- The primary goals of the City of Flowery Branch’s Investment Policy shall be:
 1. Ensure the safety of all funds entrusted to the City;
 2. Maintenance of sufficient liquidity to meet all necessary obligations to the City;
 3. Public trust from prudent investment activities; and
 4. Provide optimization of interest earnings on the portfolio

Scope

- The investment policy of the City of Flowery Branch shall govern the investments of all financial assets of the City. These funds are accounted for in the City’s Annual Audit Report and include:
 - General Fund
 - Enterprise Funds
 - Special Revenue Funds
 - Capital Project Funds
 - Debt Service Funds, including reserves and sinking funds, to the extent not required by law or existing contract to be kept segregated and managed separately
 - Other funds established from time to time

- Except for cash in certain restricted and special funds, the City may consolidate cash and investment balances to ease cash management operations and maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.
- This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the forgoing funds. However, this policy does not apply to the assets administered for the benefit of the City by outside agencies under deferred compensation programs or other post-employment benefits (OPEB) trust funds.

Section 2: Investment Objectives

- The primary objectives of investment activities shall be safety, liquidity, public trust and optimization of interest earnings. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and Local Law.

Safety

- Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.
 - Credit Risk
 - The City of Flowery Branch will minimize credit risk, which is the risk of loss of all or part of the investment due to the failure of the security issuer or backer by:
 - Limiting investments to the types of securities listed later in this investment policy;
 - Pre-qualifying and conducting ongoing due diligence of the financial institutions, broker/dealers, intermediaries, and advisors with which the City of Flowery Branch will do business with;
 - Diversifying the investment portfolio so that the impact of potential losses from any one type of security or any one individual issuer will be minimized.
 - Interest Rate Risk
 - The City of Flowery Branch will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates by:
 - Structuring the investment portfolio so that security materials match cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market before maturity

- Investing operating funds primarily in shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds or certificates of deposit
- Diversifying maturities and staggering purchase states to minimize the impact of market movements over time.

Liquidity

- This investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrently with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity). Alternatively, a portion of the portfolio may be placed in money market mutual funds or local government investment pools which offer same-day liquidity for short-term funds.

Public Trust

- All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

Yield (Optimization of Interest Earnings)

- The investment portfolio shall be designed to attain a market rate of return throughout budgetary and economic cycles, considering the investment risk constraints and liquidity needs. The core investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity with the following exceptions:
 - A security with declining credit may be sold early to minimize loss of principal;
 - Selling a security and reinvesting the proceeds that would improve the quality, yield, or target duration in the portfolio may be undertaken;
 - Unanticipated liquidity needs of the portfolio require that the security be sold

Section 3: Standards of Care

Prudence

- The standard of prudence to be used by investment officials shall be the "uniform prudent investor act" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this

investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion, and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

Ethics and Conflicts of Interest

- Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business, in accordance with applicable laws. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

Delegation of Authority

- Pursuant to O.C.G.A Section 36-83-4, authority to manage the investment program is granted to the City's Finance Director herein referred to as the investment officer. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with established objectives and standards of care for the operation of this investment program. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer.

Training Requirement

- In accordance with the Public Funds Investment Act, designated Investment Officers shall attend an investment training session no less often than once in a two-year period that begins on the first day of the City's fiscal year and consists of two consecutive fiscal years after that date and shall receive not less than 8 hours of instruction relating to investment responsibilities. A newly appointed Investment Officer must attend a training session of at least 10 hours of instruction within twelve months of the date the Officer took office or assumed the Officer's duties.
- The investment training session shall be provided by an independent source approved by the City Council. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institution of higher education or any other sponsor other than a business organization with whom the City may engage in an investment transaction.
 - Sources approved to provide training to the City's Investment Officer include:
 - Government Finance Officers Association (GFOA)
 - Georgia Government Finance Officers Association (GGFOA)

- University of Georgia – Carl Vinson Institute of Government (CVIOG)
- Any higher education organization that has an Public Management or Public Administration program.

Section 4: Authorized Financial Institutions, Depositories, and Broker/Dealers

Authorized Financial Institutions, Depositories, and Broker/Dealers

- A list will be maintained of financial institutions and depositories authorized to provide investment services. In addition, a list will be maintained of approved security broker/dealers selected by creditworthiness and/or other factors, such as FINRA broker check.
- All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:
 - Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines
 - Proof of Financial Industry Regulatory Authority (FINRA) certification (not applicable to Certificate of Deposit counterparties)
 - Proof of state registration
 - Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties)
 - Certification of having read and understood and agreeing to comply with the City of Flowery Branch’s investment policy
 - Evidence of adequate insurance coverage exceeding at a minimum of 10% over the amount of the investment by the City.
- An annual review of the financial condition and registration of all qualified financial institutions and broker/dealers will be conducted by the investment officer.

Section 5: Safekeeping and Custody

Delivery vs. Payment

- All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible custody account prior to the release of funds.

Safekeeping

- The City’s Finance Department will hold securities with all securities held in the City’s name.

Internal Controls

- The investment officer shall establish a system of internal controls, which shall be documented in writing. The internal controls shall be reviewed annually by City Council

and with the independent auditor for the City. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City. The internal controls shall address the following points:

- Control of collusion
- Separation of transactions authority from accounting and record keeping
- Custodial safekeeping
- Avoidance of physical delivery securities
- Clear delegation of authority to subordinate staff members
- Written confirmation for telephone (voice) transactions for investments and wire transfers
- Development of a wire transfer agreement with the depository bank or third party custodian
- Documentation of transactions and strategies
- Monitor rating changes in investment acquired with public funds through websites such as Moody's, Standard & Poor's (S&P), and Electronic Municipal Market Access (EMMA)

Section 6: Suitable and Authorized Investments

Investment Types

- Consistent with the GFOA Policy Statement on State and Local Laws Concerning Investment Practices and O.C.G.A. §36-80-3, this policy will permit the following investments:
 - Obligations of the United States and of its agencies and instrumentalities;
 - Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities; and
 - Certificates of deposit of banks which have deposits insured by the Federal Deposit Insurance Corporation; provided, however, that the portion of such certificates of deposit in excess of the amount insured by the Federal Deposit Insurance Corporation shall be secured by direct obligations of this state or the United States which are par value equal to that portion of such certificates of deposit which would be uninsured.
 - Local Government Investment Pool (ex. Georgia Fund 1)
- Investment derivatives of the above instruments shall require authorization by City Council.

Collateralization

- Where allowed by governing legislation and in accordance with the GFOA Recommended Practices on the Collateralization of Public Deposits, full collateralization will be required on all demand deposit accounts, including checking accounts and non-negotiable certificates of deposit (See GFOA Recommended Practices in Appendix).

Repurchase Agreements

- Repurchase agreements shall be consistent with GFOA Recommended Practices on Repurchase Agreements. (See GFOA Recommended Practices in Appendix.)

Investment Diversification and Constraints

- Diversification
- It is the policy of the City of Flowery Branch to diversify its investment portfolios. To eliminate the risk of loss resulting from the overconcentration of assets in a specific maturity, issuer, or class of securities, all cash and cash equivalent assets in all City funds shall be diversified by maturity, issuer, and security type. Diversification strategies shall be determined and revised periodically by the investment officer for all invested funds.
- In establishing specific diversification strategies, the following general policies and constraints shall apply:
 - Portfolio maturities shall be staggered to avoid undue concentration of assets in a specific maturity sector. Maturities selected shall provide for stability of income and reasonable liquidity
 - Liquidity shall be assured through practices ensuring that the next disbursement date and payroll date are covered through maturing investments or marketable U.S. Treasury bills.
 - Positions in securities having potential default risk (i.e. commercial paper) shall be limited in size so that in case of default, the portfolio's annual investment income will exceed a loss in a single issuer's securities.
 - Risks of market price volatility shall be controlled through maturity diversification and duration management.
 - The investment officer shall establish strategies and guidelines for the percentage of the total portfolio that may be invested in securities other than repurchase agreements, Treasury bills, or collateralized certificates of deposit. The investment officer shall conduct a quarterly review of these guidelines and evaluate the probability of market and default risk in various investment sectors as part of its considerations.

Maximum Exposure Guidelines

- Risk of principal loss in the portfolio shall be minimized by diversifying investment types according to staff recommendations for current economic conditions.

Default risk

- No more than 15 percent of the overall portfolio may be invested in the securities of a single issuer, except for securities of the U.S. Treasury. No more than 15 percent of the portfolio may be invested in each of the following categories of securities:
 - Money Market Mutual Funds,
 - Negotiable certificates of deposit,

- Bankers' acceptances,
- Any other obligation that does not bear the full faith and credit of the United States government or which is not fully collateralized or insured

Liquidity risk

- Based on liquidity needs, at least 10 percent of the overall portfolio shall be invested in overnight instruments or in marketable securities, which can be converted to cash within one day.

Maximum Maturities

- No more than 30 percent of the portfolio may be invested beyond 12 months, and the weighted average maturity of the portfolio shall never exceed 5 years.
- To the extent possible, the City shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five (5) years from the date of purchase or in accordance with governing legislation. The City shall adopt weighted average maturity limitations consistent with the investment objectives.
- Reserve funds shall be considered the "core" investment portfolio and invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to City Council. (See the GFOA Recommended Practice on "Maturities of Investments in a Portfolio" in Appendix.)

Competitive Bids

- The investment officer shall solicit competitive bids from at least three brokers or financial institutions on all purchases and sales of investment instruments transacted on the secondary market.

Section 7: Reporting

Methods

- The investment officer shall prepare an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and the individual transactions executed over the last quarter. This management summary shall be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the City Manager, City Council, and any pool participants. The report will include the following:
 - Listing of individual securities held at the end of the reporting period, including type, acquisition, cost, and market value.

- Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities over a one-year duration that is not intended to be held until maturity (in accordance with Government Accounting Standards Board (GASB) requirements)
- Average weighted return on investments as compared to applicable benchmarks
- Percentage of the total portfolio which each type of investment represents
- A statement that the investment portfolio follows the investment policy and is meeting the investment policy objectives
- List ratings for active investments from research from websites such as Moody's, Standard & Poor's (S&P), and Electronic Municipal Market Access (EMMA)

Performance Standards

- The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain an average market rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks shall be established against which portfolio performance shall be compared on a regular basis. The benchmarks shall be reflective of the actual securities being purchased and risks undertaken, and the benchmarks shall have similar weighted average maturity as the portfolio.

Market to Market

- The market value of the portfolio shall be calculated at least quarterly, and a statement of the market value of the portfolio shall be issued at least quarterly. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed consistent with the GFOA Recommended Practice on "Mark-to-Market Practices for State and Local Government Investment Portfolios and Investment Pools." (See GFOA Recommended Practices in Appendix.)

Section 8: Policy Considerations

Amendments

- This policy shall be reviewed at least every 5 years. Any changes must be submitted by the investment officer and approved by City Council.

Approval of Investment Policy

- The investment policy shall be formally approved and adopted by the governing body of the City of Flowery Branch and reviewed annually.
 - Date Created: January 13, 2020
 - Last Revised: February 18, 2020
 - Last Revised: March 3, 2025

○ Next Review by: March 3, 2030

**FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY**

SUBJECT: Resolution 25-002 to amend the City of Flowery Branch Investment Policy

DATE: March 20, 2025

(X) RECOMMENDATION

() POLICY DISCUSSION

BUDGET INFORMATION:

() STATUS REPORT

ANNUAL-

() OTHER

CAPITAL-

COUNCIL ACTION REQUESTED ON: March 20, 2025

PURPOSE: Resolution No. 25-002 to amend the City of Flowery Branch Investment Policy.

HISTORY: Governmental operations recommend an investment policy. The current investment policy was updated on February 18th, 2020.

FACTS AND ISSUES: The current investment policy was last updated on February 18th, 2020. It is recommended that policies be reviewed at least every five years. After review, two changes are recommended. The current recommendations are (1. to increase the investments longer than one year from 20% of the portfolio to 30% of the portfolio; and 2. Review the policy at lease every 5 years instead of annually). No other changes to the policies are recommended. As always, staff will ensure appropriate liquidity is available to maintain current operations.

OPTIONS:

RECOMMENDED SAMPLE MOTION: I make a motion to approve Resolution 25-002 to amend the City of Flowery Branch Investment Policy.

DEPARTMENT: Finance Department

Prepared by: Matthew Hamby



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the First Reading of Ordinance 736 for an Amendment to the Charter of the City of Flowery Branch to Increase the Amount of Per Diem for Meeting Attendance by the Mayor and Councilmembers

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

On 8/15/2023, the council adopted Ordinance 477 allowing for the current per diem which is \$50 per diem for the Mayor and Councilmembers attending meetings officially representing the City of Flowery Branch, not to exceed five (5) meetings per month. If the Mayor and Council all requested this amount monthly (many do not), the maximum annual amount of the expense would be \$18,000.

FACTS AND ISSUES:

After much research of area local governments, it is apparent that Flowery Branch's per diem is well below the average for others which is \$100 - \$150 per meeting. The base salaries will remain the same, which are \$9,000 annually for the mayor and \$7,200 annually for each council member.

This proposed amendment to the charter would allow for increasing Flowery Branch's per diem per meeting to \$100 per meeting for up to eight (8) meetings per month. This would be an annual increase to the budget of up to \$39,600.

In comparison to the City of Gainesville's recent increase, the Mayor of Gainesville can attend up to 216 meetings per year (18 meetings per month) at a per diem rate of \$150 per meeting (adopted by Gainesville's City Council in 2015) which equates to a maximum allowable annual per diem of reimbursement of \$32,400. Council members from Gainesville can attend up to 192 meetings per year (16 meetings per month) at a per diem rate of \$150 per meeting which equates to a maximum allowable annual per diem reimbursement of \$28,800 each. Flowery Branch's elected officials attend many of the same meetings and, if this amendment passes, will be able to be reimbursed up to \$9,600 each annually or a total expense to the City of Flowery Branch of \$57,600 if the mayor and each council member requested the maximum amount throughout the year.

If this ordinance passes, the effective date would be January 1, 2026.

The City Attorney, in drafting the ordinance, has removed the words "scheduled, special, called or a" which preceded the word "meeting" in Section 2.7(a)(2) of the Charter in order to remove confusion about the types of meetings that are included.

OPTIONS:

- 1) Adopt Ordinance No. 736.
- 2) Do not adopt Ordinance No. 736.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

If approved this will be budgeted in FY26.

RECOMMENDATION:

To consider an amendment to the charter to increase the per diem and number of meetings for which per diem can be requested by Mayor and Council.

SAMPLE MOTION:

I make a motion to Adopt Ordinance No. 736 amending the charter of the City of Flowery Branch, GA to increase the per diem for meeting attendance and the number of allowable meetings for Mayor and Council.

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [ES - Charter Amendment - change to per diem.pdf](#)
- [Ord 736 Flowery Branch City Charter per diem Amendment alternative redline 3 3 25.pdf](#)
- [Ordinance 736 Flowery Branch City Charter per diem Amendment.pdf](#)



FLOWERY BRANCH CITY COUNCIL EXECUTIVE SUMMARY

SUBJECT: Consider Ordinance No. 736 an Amendment to the Charter of the City of Flowery Branch to Increase the Amount of Per Diem for Meeting Attendance by the Mayor and Councilmembers

DATE: March 14, 2025

(X)RECOMMENDATION
() POLICY DISCUSSION
() STATUS REPORT
() OTHER

BUDGET INFORMATION:
ANNUAL- \$39,600
CAPITAL-

COUNCIL ACTION REQUESTED ON: March 20, 2025

PURPOSE: To consider an amendment to the charter to increase the per diem and number of meetings for which per diem can be requested by Mayor and Council.

HISTORY: On 8/15/2023, the council adopted Ordinance 477 allowing for the current per diem which is \$50 per diem for the Mayor and Councilmembers attending meetings officially representing the City of Flowery Branch, not to exceed five (5) meetings per month. If the Mayor and Council all requested this amount monthly (many do not), the maximum annual amount of the expense would be \$18,000.

FACTS AND ISSUES: After much research of area local governments, it is apparent that Flowery Branch's per diem is well below the average for others which is \$100 - \$150 per meeting. The base salaries will remain the same, which are \$9,000 annually for the mayor and \$7,200 annually for each council member.

This proposed amendment to the charter would allow for increasing Flowery Branch's per diem per meeting to \$100 per meeting for up to eight (8) meetings per month. This would be an annual increase to the budget of up to \$39,600.

In comparison to the City of Gainesville's recent increase, the Mayor of Gainesville can attend up to 216 meetings per year (18 meetings per month) at a per diem rate of \$150 per meeting (adopted by

Gainesville's City Council in 2015) which equates to a maximum allowable annual per diem of reimbursement of \$32,400. Council members from Gainesville can attend up to 192 meetings per year (16 meetings per month) at a per diem rate of \$150 per meeting which equates to a maximum allowable annual per diem reimbursement of \$28,800 each. Flowery Branch's elected officials attend many of the same meetings and, if this amendment passes, will be able to be reimbursed up to \$9,600 each annually or a total expense to the City of Flowery Branch of \$57,600 if the mayor and each council member requested the maximum amount throughout the year.

If this ordinance passes, the effective date would be January 1, 2026.

The City Attorney, in drafting the ordinance, has removed the words "scheduled, special, called or a" which preceded the word "meeting" in Section 2.7(a)(2) of the Charter in order to remove confusion about the types of meetings that are included.

OPTIONS:

- 1) Adopt Ordinance No. 736.
 - 2) Do not adopt Ordinance No. 736.
-
-

RECOMMENDED SAMPLE MOTION:

I make a motion to Adopt Ordinance No. 736 amending the charter of the City of Flowery Branch, GA to increase the per diem for meeting attendance and the number of allowable meetings for Mayor and Council.

DEPARTMENT: Administration

Prepared by: Tonya Parrish

**STATE OF GEORGIA
CITY OF FLOWERY BRANCH**

ORDINANCE NO. ____

**AN ORDINANCE TO AMEND THE CHARTER OF THE
CITY OF FLOWERY BRANCH**

AN ORDINANCE AMENDING THE CITY CHARTER OF THE CITY OF FLOWERY BRANCH, GEORGIA TO INCREASE THE AMOUNT OF PER DIEM FOR MEETING ATTENDANCE BY THE MAYOR AND COUNCILMEMBERS, PROVIDING FOR AN EFFECTIVE DATE, AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, changes to the City Charter may be made by the Mayor and City Council under the Home Rule Powers of a municipality as set forth in Chapter 35 of Title 36 of the O.C.G.A.; and

WHEREAS, in accordance with O.C.G.A. § 36-35-6(b)(1), a notice containing a synopsis of the proposed amendment was published in the official organ of the county or in a newspaper of general circulation in the municipal corporation once a week for three weeks within a period of 60 days immediately preceding its final adoption; and

WHEREAS, municipal charters may be amended by ordinances duly adopted at two regular consecutive meetings of the municipal governing authority, not less than seven nor more than 60 days apart; and

WHEREAS, pursuant to O.C.G.A. § 36-35-4, the governing authority of a municipal corporation is authorized to take action to increase the compensation of the members of the governing authority provided that: any such increase shall not be effective until after the taking of office of those elected at the next regular municipal election which is held immediately following the date on which the action to increase the compensation was taken, such action shall not be taken during the period of time beginning with the date that candidates for election to membership on the municipal governing authority may first qualify as such candidates and ending with the date members of the municipal governing authority take office following their election; and such action shall not be taken until notice of intent to take the action has been published in a newspaper of general circulation designated as the legal organ in the county and in the municipal corporation at least once a week for three consecutive weeks immediately preceding the week during which the action is taken.

WHEREAS, the City of Flowery Branch adopted this amendment by an ordinance duly adopted at two regular consecutive meetings of the municipal governing authority;

NOW THEREFORE, the City Council of the City of Flowery Branch hereby ordains to amend the city charter as follows:

SECTION ONE

By revising subsection (2) of Section 2.7 (a) to read as follows:

(2) For attending each meeting officially representing the Flowery Branch City Council (except for meetings of the Flowery Branch City Council), the Mayor and each Councilmember shall receive as additional compensation ~~\$50.00~~ \$100.00 per diem, payable monthly, not to exceed ~~five (5)~~ eight (8) meetings per month.

SECTION TWO

The amendments to the Charter described herein shall become effective upon the taking of office of those elected at the next regular municipal election which is held immediately following approval of this ordinance and upon a copy of the amendment, the required notice of publication, and an affidavit of a duly authorized representative of the newspaper in which the notice was published, being filed with the Secretary of State and in the office of the Clerk of the Superior Court of Hall County as required by O.C.G.A. § 36-35-5. The City Clerk is hereby authorized to make such filings.

Adopted this ____ day of _____, 2025.

Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted C. Baggett, City Attorney

**STATE OF GEORGIA
CITY OF FLOWERY BRANCH**

ORDINANCE NO. 736

**AN ORDINANCE TO AMEND THE CHARTER OF THE
CITY OF FLOWERY BRANCH**

AN ORDINANCE AMENDING THE CITY CHARTER OF THE CITY OF FLOWERY BRANCH, GEORGIA TO INCREASE THE AMOUNT OF PER DIEM FOR MEETING ATTENDANCE BY THE MAYOR AND COUNCILMEMBERS, PROVIDING FOR AN EFFECTIVE DATE, AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, changes to the City Charter may be made by the Mayor and City Council under the Home Rule Powers of a municipality as set forth in Chapter 35 of Title 36 of the O.C.G.A.; and

WHEREAS, in accordance with O.C.G.A. § 36-35-6(b)(1), a notice containing a synopsis of the proposed amendment was published in the official organ of the county or in a newspaper of general circulation in the municipal corporation once a week for three weeks within a period of 60 days immediately preceding its final adoption; and

WHEREAS, municipal charters may be amended by ordinances duly adopted at two regular consecutive meetings of the municipal governing authority, not less than seven nor more than 60 days apart; and

WHEREAS, pursuant to O.C.G.A. § 36-35-4, the governing authority of a municipal corporation is authorized to take action to increase the compensation of the members of the governing authority provided that: any such increase shall not be effective until after the taking of office of those elected at the next regular municipal election which is held immediately following the date on which the action to increase the compensation was taken, such action shall not be taken during the period of time beginning with the date that candidates for election to membership on the municipal governing authority may first qualify as such candidates and ending with the date members of the municipal governing authority take office following their election; and such action shall not be taken until notice of intent to take the action has been published in a newspaper of general circulation designated as the legal organ in the county and in the municipal corporation at least once a week for three consecutive weeks immediately preceding the week during which the action is taken.

WHEREAS, the City of Flowery Branch adopted this amendment by an ordinance duly adopted at two regular consecutive meetings of the municipal governing authority;

NOW THEREFORE, the City Council of the City of Flowery Branch hereby ordains to amend the city charter as follows:

SECTION ONE

By revising subsection (2) of Section 2.7 (a) to read as follows:

(2) For attending each meeting officially representing the Flowery Branch City Council (except for meetings of the Flowery Branch City Council), the Mayor and each Councilmember shall receive as additional compensation \$100.00 per diem, payable monthly, not to exceed eight (8) meetings per month.

SECTION TWO

The amendments to the Charter described herein shall become effective upon the taking of office of those elected at the next regular municipal election which is held immediately following approval of this ordinance and upon a copy of the amendment, the required notice of publication, and an affidavit of a duly authorized representative of the newspaper in which the notice was published, being filed with the Secretary of State and in the office of the Clerk of the Superior Court of Hall County as required by O.C.G.A. § 36-35-5. The City Clerk is hereby authorized to make such filings.

Adopted this ____ day of _____, 2025.

Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted C. Baggett, City Attorney



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider Approval of the Tyler Enterprise Permitting and Licensing Proposal

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

\$153,921 - General Fund

RECOMMENDATION:

Approval of Proposal for the Tyler Enterprise Permitting and Licensing Software

SAMPLE MOTION:

I make a motion to approve the Contract for the Tyler Enterprise Permitting and Licensing Software.

COLLABORATING DEPARTMENT:

Finance

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Tyler Government Software for 3-20-2025.pdf](#)
- [Tyler Enterprise Permitting and Licensing Amendment Proposal Summary 31225.pdf](#)



Memorandum

To: City of Flowery Branch, Mayor, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: March 20, 2025

Subject: Executive Summary Tyler Enterprise Software

Tyler Enterprise Software offers Flowery Branch a centralized platform that automates, connects, and streamlines essential government processes. The system supports critical operations including planning, permitting, licensing, building and land development inspections, and code enforcement, while ensuring seamless fee management across departments.

The platform enhances overall efficiency and communication, promoting productivity and robust interdepartmental collaboration. Its dedicated mobile application extends these benefits to field operations, empowering employees to work more proficiently. In addition, the comprehensive online portal provides the public with a user-friendly way to submit permit applications, plans, and online payments, offering anytime, anywhere, access to services.

Committed to a fully digital workflow, the Planning and Community Development team is transitioning to an end-to-end electronic submission, review, and approval process—eliminating paper applications entirely. This digital transformation is further supported by partnerships with external agencies such as Hall County Fire and NRCS.

The licensing process for Tyler Enterprise Software will become much more efficient for both new licenses and renewals. The system will enable the generation of more reliable reports, benefiting the finance department by improving auditing capabilities. Additionally, receiving payments and deposits will be a smoother and more seamless process.

Moreover, Tyler Enterprise Software equips staff with advanced reporting tools that generate specialized insights into city growth and development. The integration of Esri's GIS component allows for detailed mapping and geo-location of development trends, providing a powerful analytical edge for planning and decision-making.

The fee proposal a one-time fee of \$110,575.00 and a recurring fee of \$43,346.00 per the proposal provided by Tyler Technologies. The proposal is attached for detailed review of software and services.



In addition to the Planning software, the city administration has been looking at alternative payment plat forms. Through the review of the Planning software, we became aware of a payment platform that our current financial software provides. By moving to this new platform, it will streamline payments and consolidate payments associated with utility billing, tax payments, and associated planning payments. This will increase efficiencies in the planning and finance departments. In addition to these efficiencies, it will add alternative forms of payments, such as echecks with a flat fee of \$1.95.



Quoted By:
 Quote Expiration:
 Quote Name:

Garth Magness
 8/26/25
 Enterprise Permitting & Licensing Suite

Sales Quotation For:

City of Flowery Branch
 5410 Pine St
 Flowery Branch GA 30542
 Phone: +1 (770) 967-6371

Tyler SaaS

Description	Term	Monthly Fee	Users/Units	Annual Fee
Enterprise Permitting & Licensing Core Software				
Enterprise Permitting & Licensing User		\$ 201	5	\$ 12,085
Enterprise Permitting & Licensing Foundation		\$ 701	1	\$ 8,407
Business Management Suite		\$ 525	1	\$ 6,305
Community Development Suite		\$ 525	1	\$ 6,305
Enterprise Permitting & Licensing Extensions				
eReviews		\$ 701	1	\$ 8,407
Decision Engine		\$ 438	1	\$ 5,254
Enterprise Service Requests		\$ 100	1	\$ 1,202
Sub-Total:				\$ 47,965
<u>Less Discount</u>				<u>\$ 4,799</u>
TOTAL		1.00		\$ 43,166

2025-526373-P1K0H3

CONFIDENTIAL

Page 1

Professional Services

Description	Quantity	Unit Price	Extended Price	Maintenance
Professional Services				
Data Conversion Services	80	\$ 145	\$ 11,600	\$ 0
End User Training	40	\$ 145	\$ 5,800	\$ 0
Professional Implementation Services	130	\$ 145	\$ 18,850	\$ 0
Professional Implementation Services - Contingency Hours	130	\$ 145	\$ 18,850	\$ 0
Project Manager Services	80	\$ 145	\$ 11,600	\$ 0
TOTAL:			\$ 66,700	\$ 0

Payments

	Use Case	List Price	Service %	Min	Basis Points	Rate	Cap	POS	Online	IVR
Payments - Payer Card Cost - Service Fees										
Enterprise Permitting & Licensing										
Enterprise Permitting & Licensing Payments	Planning		3.95%	\$ 2.50				X	X	
Enterprise Permitting & Licensing Payments	Permits		3.95%	\$ 2.50				X	X	
Enterprise Permitting & Licensing Payments	Licenses		3.95%	\$ 2.50				X	X	
Payer eCheck Cost		\$ 1.95								
eCheck Rejects		\$ 5.00								
Credit Card Chargebacks		\$ 15.00								

Payer Card Cost

Per card transaction with Visa, MasterCard, Discover, and American Express.

Payer eCheck Cost
eCheck Rejects
Credit Card Chargebacks

Per electronic check transaction.
 When an eCheck Transaction comes back as declined (e.g bounced check)
 If a card payer disputes a transaction at the card issuing bank (e.g. stolen card)

Third-Party Hardware, Software and Services

Description	Qty	Unit Price	Unit Discount	Total Price	Unit Maint /SaaS	Unit Maint/SaaS Discount	Total Maint / SaaS
Third Party							
Payments PCI Service Fee (Per Device)	1	\$ 0	\$ 0	\$ 0	\$ 180	\$ 0	\$ 180
Hardware							
Payments Lane 7000 Terminal Purchase	1	\$ 529	\$ 0	\$ 529	\$ 0	\$ 0	\$ 0
TOTAL				\$ 529			\$ 180

Summary

	One Time Fees	Recurring Fees
Total SaaS		\$ 43,166
Total Services	\$ 66,700	\$ 0
Total Third-Party Hardware, Software, Services	\$ 529	\$ 180
Summary Total	\$ 67,229	\$ 43,346
Contract Total	\$ 110,575	
Estimated Travel Expenses	\$ 6,000	

Customer Approval: _____

Date: _____

Print Name: _____

P.O.#: _____

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms:

- License fees for Tyler and third party software are invoiced upon the earlier of (i) delivery of the license key or (ii) when Tyler makes such software available for download by the Client;
- Fees for hardware are invoiced upon delivery;
- Fees for year one of hardware maintenance are invoiced upon delivery of the hardware;
- Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software available for download by the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the Agreement, with renewals invoiced annually thereafter in accord with the Agreement.
- Fees for services included in this sales quotation shall be invoiced as indicated below.
 - Implementation and other professional services fees shall be invoiced as delivered.
- Expenses associated with onsite services are invoiced as incurred. according to Tyler's standard business travel policy.

The initial term of this Agreement is one (1) year, commencing on the first day of the first month following the Effective Date, unless earlier terminated. Upon expiration of the initial term, subsequent SaaS Fees for the first two (2) annual renewals will not increase and will be at the rates set forth in the Investment Summary.

Comments

SaaS Monthly Fees are rounded to the nearest dollar. The Annual Fee value represents the cost to the customer.

Enterprise Permitting & Licensing Foundation includes GIS for EPL Users, Core Foundation Bundle, Advanced Automation Bundle, Data & Reporting Access, Report Toolkit, EPL API Toolkit and 1 TB of Storage

Business Management Suite includes Civic Access for Business Management and Business Management Executive Insights

Community Development Suite includes Civic Access for Community Development and Community Development Executive Insights

Enterprise Permitting & Licensing User includes back-office and Workforce Mobile access

eReviews enables electronic review and markup of submitted plans and other documentation by client personnel. eReviews requires Bluebeam Studio Prime, at an estimated yearly subscription cost of \$3,000/100 users. eReviews also requires Bluebeam Revu licenses for agency staff that is involved in the review, markup, and management of electronic plans. Bluebeam Revu licenses are approximately \$300 per user per year. Bluebeam Studio Revu and Bluebeam Prime are to be purchased separately by the client.

Enterprise Service Requests is an application for citizens to report code complaints. Tyler resources will configure, train client personnel, and support go-live for 311 functionality utilized by Enterprise Permitting & Licensing.

Fees for year one of hardware maintenance will be invoiced as of the first day of the calendar month following the date the hardware is delivered and may be prorated to end coterminous with the Annual Support Maintenance term. Subsequent annual hardware maintenance fees shall be invoiced together with the Annual Support Maintenance term in accordance with the terms of the Agreement.

Your use of Payments and any related items included on this order is subject to the terms found at: <https://www.tylertech.com/terms/payment-card-processing-agreement>. By signing this order or the agreement in which it is included, you agree you have read, understand, and agree to such terms. Please see attached Payments fee schedule.

Standard Notes

Project Delays and Change Control: Any delays in the client's completion, review, or acceptance of deliverables that extend the project timeline will be subject to the change control process. This may result in additional costs, including, but not limited to, extra service hours for project management, consulting, and conversion development.

Cancellation Policy: If the client cancels services with less than two (2) weeks' notice, the client will be liable to Tyler for (i) all non-refundable expenses incurred on the client's behalf and (ii) daily fees for the canceled services if Tyler is unable to reassign its personnel.

Implementation Service Hours: Implementation service hours are scheduled and provided in increments of four (4) or eight (8) hours. The implementation service hours assume a 75% remote and 25% onsite split but can vary per project. The hours do not include travel expenses.

Public Administration Security Console (PASC): PASC is a tool that allows Support staff to access client environments using specified Tyler-owned accounts with rolling passwords.

Client Responsibility for GIS Services: The client is responsible for providing and maintaining the GIS services required by Enterprise Permitting & Licensing in compliance with Tyler's GIS deployment guidelines.

Civic Access serves as the client's online portal for citizens. Tyler will ensure the portal is operational and integrated with GIS, configure the payment portal (if applicable), and provide training for Civic Access configuration. The client configures online applications and other components not specified above.

Hub is a platform that allows clients to customize individual user dashboards for tasks and data visualization. Tyler will connect the EPL data source to Hub and provide training for user dashboard personalization. The client is responsible for personalizing and maintaining user dashboards. Any additional data source connections to Hub will be subject to the change control process and may incur additional costs.

Implementation Notes

Enterprise Permitting & Licensing (EPL) Implementation: Tyler will utilize the EnerGov (EPL) database provided by the client to load into the Enterprise and Permitting System. Flowery Branch was a previous customer and still maintains the DB. No changes will be made to the legacy data. Process types will be reviewed and finalized during the Assess & Define stage to ensure optimal system configuration. Any additional processes or updates beyond the initial scope will be accounted for within the implementation hours and may require a change order if they exceed the allocated time.

Integration Notes

Enterprise Permitting & Licensing (EPL) API Implementation & Support: Tyler's services for EPL API implementation are limited to delivering the API and providing guidance to the client's integration development team. Tyler does not offer integration development services for EPL API/SDK toolkits. The client, or a chosen third-party integrator, will be responsible for all development work related to the API/SDK.

Enterprise Service Requests (ESR): ESR is an application that allows citizens to report public works requests or code complaints. Tyler will configure and train client personnel and support the go-live for ESR functionality used by EPL. The client is responsible for providing and maintaining the GIS services required by ESR.

Integration with Executive Insights: Tyler will establish the connection and verify the data exchange between Executive Insights and EPL.

Conversion and Reports Notes

Full Conversion: The Client will provide Tyler with up to [1] legacy data sources [lworqs] containing data related to Permitting, Planning, Inspection, and Code Enforcement from the legacy system. The Client is responsible for extracting the data from their legacy system(s) and delivering it to Tyler in an acceptable format. Tyler will not manipulate or correct the legacy data on behalf of the Client; the Client must resolve any data quality issues before submission. Tyler will populate the Data Conversion Template database (DCT-DB) with the legacy data for conversion into EPL. Tyler will use the completed DCT-DB to produce a mapping document to enable the Client to correlate legacy data fields with EPL fields. The Client is responsible for all data mapping decisions and document completion. The DCT-DB and mapping document provided by the client will translate the legacy data into the EPL software, constituting a "conversion pass."

The scope of this implementation includes four (4) conversion passes: two (2) evaluation passes, one (1) simulated go-live pass, and one (1) final go-live pass.

No custom reports, forms, or letters are included in this implementation.

Training Notes

Each 40-hour training engagement includes four (4) full days (8 hours per day) of direct instruction and up to 8 hours of preparatory and administrative time. This preparatory time allows trainers to understand client needs, develop schedules, set up software environments, and complete necessary documentation.

The following training engagements are included in the scope of this implementation:

Solutions Orientation Training: To assist new clients with the tools necessary for a successful Enterprise Permitting & Licensing software implementation, we are pleased to offer an introductory training course built for the needs of each of our clients. This training is designed to achieve the following objectives:

- Learn general terminology
- Experience the basic functionality of the software

- Encourage client-side discussions
- Discover some of the software capabilities available for consideration
- Improve communication between Tyler and the client through software knowledge
- Prepare the client for the Assess & Define process through exposure to the functionality of the software

Solution Validation: A critical part of the implementation process. It allows municipality employees to log in to Enterprise Permitting & Licensing and verify that the configuration is correct. During the training, students learn about end-user functionality in each module to ensure they are comfortable with the subject matter before testing. Instructors teach students how to test, not about business processes. Users learn how to test the applications to get accurate results. The class is taught in the client's testing environment. The objectives are to ensure that each user:

- Experiences basic functionality of the suite
- Examines how to read the Solution Validation Training guides
- Understands how to test the applications

End User Training: End User Training is the last component of the Implementation process before going live. This training covers every module you will use and involves any staff/others utilizing the Enterprise Permitting and Licensing System. The trainer or consultant will teach the end-user functionality of the modules, as we want to ensure that all users are comfortable with the subject matter. During this training, we do not teach business processes; we require an SME (Subject Matter Expert) to be involved in every aspect of the training to ensure that business process questions are answered accurately. After End User Training, we suggest you continuously include continuous training for your staff/others on your business process.



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider March 6, 2025 City Council Meeting Minutes

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [Unofficial March 6, 2025 City Council Meeting Minutes.pdf](#)



**City of Flowery Branch
City Council Meeting
Thursday, March 6, 2025, 6:00 PM
City of Flowery Branch City Hall
5410 Pine Street, Flowery Branch, GA 30542**



CALL WORK SESSION TO ORDER:

Mayor Asbridge called the meeting to order at 6:02 p.m.

Present: Mayor Asbridge and Council Members Oliver McClellan, William McDaniel, and Joseph Mezzanotte.

Also present were City Manager Tonya Parrish, City Clerk Shelia Cooper, Finance Director Matthew Hamby, Planning and Community Development Director Chris McCrary, Human Resources Director Krystle Hightower, Public Works & Utilities Director Bill Whidden, Director of Fun Renee Carden, and City Attorney Ted Baggett.

Absent: Council Members Joe Anglin and Chris Mundy.

PLEDGE OF ALLEGIANCE:

Mayor Asbridge led the Pledge of Allegiance.

ADOPTION OF AGENDA:

There was a motion made to adopt the agenda as presented.

MOTION: Oliver McClellan

SECOND: Joseph Mezzanotte

AYES: Joseph Mezzanotte, Oliver McClellan, William McDaniel

NAYS: None

Motion carried

AWARDS & RECOGNITIONS: There were no awards or recognitions.

UNFINISHED BUSINESS - WORK SESSION:

Discussion of Ordinance 733 for a Text Amendment to Add Sections 6.5 and Section 6.6; Text Amendment to Revise Table 6.1 and Table 6.2 within Article 6.

Director McCrary presented a discussion of ordinance 733 for a text amendment and he will add this to another meeting work session for further discussion.

NEW BUSINESS -WORK SESSION:

Consider Lease Agreement for 5527 Main Street with Tiny Threads Baby Boutique, LLC.

Director Carden presented a lease agreement with consideration for 5527 Main Street with Tiny Threads Baby Boutique, LLC. This will be a children's clothing store from birth to age eight and plans to have events for children in the retail space.

DEPARTMENT REPORTS:

Department of Fun Report:

Director Carden noted upcoming events and reported on the success of the cleanup day from March 1, 2025.

Planning Department Report:

Director McCrary advised he met with the Georgia Mountains Regional Commission, and he stated we need to start ramping up to overhaul the Comprehensive Plan that will need to be approved by next year. He will need input from Council for this.

ADJOURNMENT WORK SESSION:

Mayor Asbridge adjourned the work session at 6:09 p.m.

VOTING SESSION AGENDA

CALL VOTING SESSION TO ORDER:

Mayor Asbridge called the voting session to order at 6:09 p.m.

PUBLIC COMMENTS: There were no public comments.

CONSENT AGENDA:

- Consider February 2025 Per Diem for Mayor Asbridge
- Consider February 20, 2025 City Council Meeting Minutes

There was a motion made to approve the consent agenda as presented.

MOTION: Oliver McClellan

SECOND: William McDaniel

AYES: Oliver McClellan, William McDaniel. Joseph Mezzanotte

NAYS: None

Motion carried

UNFINISHED BUSINESS - VOTING SESSION:

Consider the Second Reading of Ordinance 731 for Text Amendment to Article 33, Section 33.5; Article 34 Sections 34.12, 34.13; Article 37, Sections 37.10, 37.11 and Article 38, Section 38.8.

City Clerk Cooper read the caption for Ordinance 731.

There was a motion made to approve the second reading of Ordinance 731.

MOTION: Oliver McClellan
SECOND: William McDaniel
AYES: Oliver McClellan, William McDaniel, Joseph Mezzanotte
NAYS: None
Motion carried

Consider the Second Reading of Ordinance 732 to Amend Article 6 to Add Legacy Zoning Districts.

City Clerk Cooper read the caption for Ordinance 732.

There was a motion made to approve the second reading of Ordinance 732 to amend Article 6 to add Legacy Zoning Districts.

MOTION: William McDaniel
SECOND: Joseph Mezzanotte
AYES: Oliver McClellan, William McDaniel, Joseph Mezzanotte
NAYS: None
Motion carried

Consider the Second Reading of Ordinance 734 to Amend Article 9, table 9.1, Table 9.2.

City Clerk Cooper read the caption for Ordinance 734.

There was a motion made to approve the second reading of Ordinance 734 to amend Article 9, Table 9.1, Table 9.2.

MOTION: William McDaniel
SECOND: Joseph Mezzanotte
AYES: Oliver McClellan, William McDaniel, Joseph Mezzanotte
NAYS: None
Motion carried

NEW BUSINESS - VOTING SESSION:

Consider Lease Agreement for 5527 Main Street with Tiny Threads Baby Boutique, LLC.

There was a motion made to approve a lease agreement for 5527 Main Street with Tiny Threads Baby Boutique, LLC.

MOTION: Oliver McClellan

SECOND: Joseph Mezzanotte

AYES: Oliver McClellan, William McDaniel, Joseph Mezzanotte

NAYS: None

Motion carried

EXECUTIVE SESSION: There was no executive session held.

ADJOURNMENT:

There was a motion made to adjourn the meeting at 6:14 p.m.

MOTION: Oliver McClellan

SECOND: William McDaniel

AYES: Oliver McClellan, William McDaniel, Joseph Mezzanotte

NAYS: None

Motion carried

Edward R. Asbridge, Mayor

Date

Shelia Cooper, City Clerk



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider February 2025 Per Diem for Council Member McClellan

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

GL 100-1110-511101

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [February 2025 Council Member McClellan Per Diem.pdf](#)



Name: Oliver McClellan
Month: February 2025

Meeting Date	Meeting Location
02/17/2025	CHOC BOARD OF THE CHOCORP MEETING
02/18/2025	Chamber Small Business Expo/Workshop

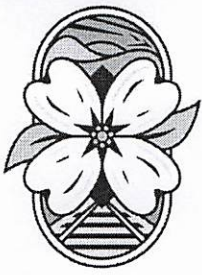
The City of Houston is a city with a rich history and a vibrant future. We are committed to providing the best possible services to our residents and visitors. We are also committed to being a leader in sustainability and innovation. We are proud to be a part of this great city and we are excited to see what the future holds for us.

City of Houston

Oliver McClellan

Signature

Received March 6, 2025 @ 5:30pm - Jnc



**City of Flowery Branch
Mayor & Council Attendance Sheet Per Diem Pay**

Name: Oliver McClellan Month/Year: February 2025

Meeting Date	Description of Meeting
02/13/2025	Chamber Small Business Expo/Luncheon
02/17/2025	GHCC BOARD OF DIRECTORS MEETING

My signature certifies that I am eligible to be paid for 2 meeting dates, a maximum of 5 per month, in accordance with the Per Diem Pay as described in Ordinance 477 and at a rate of \$50.00 per meeting.

Total of \$ 100 .00

Oliver McClellan

Signature



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider February 2025 Per Diem for Council Member Mezzanotte

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

GL 100-1110-511101

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [February 2025 Council Member Mezzanotte Per Diem.pdf](#)



City of Flowery Branch & Council Attendance Sheet Per Diem Pay

Name: Joseph Mezzanotte Month/Year: 02/2025

Meeting Date	Description of Meeting
<u>2/6/2025</u>	<u>South Hall Business Coalition - UNG</u>
<u>2/13/2025</u>	<u>High Point Development Presentation</u>

My signature certifies that I am eligible to be paid for 2 meeting dates, a maximum of 5 per month, in accordance with the Per Diem Pay as described in Ordinance 477 and at a rate of \$50.00 per meeting.

Total of \$ 100.00

Joseph Mezzanotte
Signature



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider New Package Store License for Evimeria Investment, LLC

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

The ownership of Village Spirits has changed from CCC Investment Group INC to Evimeria Investments LLC. The new owner, Bhavdipsinh Rathod, has applied for a new package store license.

FACTS AND ISSUES:

The ownership of Village Spirits has changed from CCC Investment Group INC to Evimeria Investments LLC. The new owner, Bhavdipsinh Rathod, has applied for a new package store license.

OPTIONS:

Approve or Deny

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Police

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary Enimeria Investments, LLC Ownership Change Only.pdf](#)

**FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY**

SUBJECT: Consider New Package Store License for Evimeria Investments LLC

DATE: March 20th, 2025

(X) RECOMMENDATION
() POLICY DISCUSSION
() STATUS REPORT
() OTHER

BUDGET INFORMATION:
ANNUAL-
CAPITAL-

COUNCIL ACTION REQUESTED ON: March 20th, 2025

PURPOSE: To allow Evimeria Investments LLC. DBA: New Village Spirits to sell packaged beer, wine and distilled spirits at 5462 McEver Road.

HISTORY: The ownership of Village Spirits has changed from CCC Investment Group INC to Evimeria Investments LLC. The new owner, Bhavdipsinh Rathod, has applied for a new package store license.

FACTS AND ISSUES: The ownership of Village Spirits has changed from CCC Investment Group INC to Evimeria Investments LLC. The new owner, Bhavdipsinh Rathod, has applied for a new package store license.

OPTIONS: Approve or Deny

RECOMMENDED SAMPLE MOTION: It is on the Consent Agenda

DEPARTMENT: Police Department

Prepared by: Kelsey Cash



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider New Consumption on Premise License for ShogunFB, LLC

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

The ownership of Shogun Japanese Steak and Sushi has changed from WNE Shogun LLC to ShogunFB, LLC. The new owner, In Lee, has applied for a new consumption on premise license.

FACTS AND ISSUES:

The ownership of Shogun Japanese Steak and Sushi has changed from WNE Shogun LLC to ShogunFB, LLC. The new owner, In Lee, has applied for a new consumption on premise license.

OPTIONS:

Approve or Deny

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

DEPARTMENT: Police

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary Shogun Japanese Steak Ownership Change to ShogunFB, LLC.pdf](#)

**FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY**

SUBJECT: Consider New Consumption on Premise License for ShogunFB, LLC

DATE: March 20th, 2025

(X) RECOMMENDATION
() POLICY DISCUSSION
() STATUS REPORT
() OTHER

BUDGET INFORMATION:
ANNUAL-
CAPITAL-

COUNCIL ACTION REQUESTED ON: March 20th, 2025

PURPOSE: To allow ShogunFB, LLC. DBA: Shogun Japanese Steak and Sushi to serve beer, wine and distilled spirits at 5855 Spout Springs Road Suite A401.

HISTORY: The ownership of Shogun Japanese Steak and Sushi has changed from WNE Shogun LLC to ShogunFB, LLC. The new owner, In Lee, has applied for a new consumption on premise license.

FACTS AND ISSUES: The ownership of Shogun Japanese Steak and Sushi has changed from WNE Shogun LLC to ShogunFB, LLC. The new owner, In Lee, has applied for a new consumption on premise license.

OPTIONS: Approve or Deny

RECOMMENDED SAMPLE MOTION: Motion not necessary, it is on the Consent Agenda.

DEPARTMENT: Police Department

Prepared by: Kelsey Cash



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the Second Reading of Ordinance 730 for a Conditional Use Permit at 5205 Railroad Avenue for the Operation of a Micro-Brewery.

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

The Public Hearing was published on January 8th, 2025; First Reading and Public Hearing is scheduled for February 6th, 2025 and anticipated final vote on March 20th, 2025.

FACTS AND ISSUES:

A micro-brewery requires a Conditional Use Permit to operate in CBD zoning

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

I make a motion for the approval of Ordinance 730 with staff recommended conditions.

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

Planning

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [CUP Report 5205 Railroad Avenue Micro Brewery and Restaurant.pdf](#)
- [Ordinance 730 CUP for 5205 Railroad Avenue for 3-20-2025.pdf](#)
- [Ordinance_730_CUP_for_5205_Railroad_Avenue_for_3-20-2025 TB.pdf](#)



Memorandum

To: City of Flowery Branch, City Manager, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: February 6th, 2025

Subject: Conditional Use Permit – Certificate of Appropriateness

Applicant: Kevin Hobgood
7233 Sherwood Mill Drive
Flowery Branch, GA 30542
404-925-2400

Existing Zoning: CBD – Central Business District

Location:

- 5205 Railroad Avenue; tax parcel identification number **08112 016001**

Conditional Use Permit (CUP) Request:

The applicant is seeking the approval of a Conditional Use Permit for the operation of a micro-brewery within the existing building located at 5205 Railroad Avenue. The building is ~8,700 square feet and the applicant intends to occupy the building with 2,000 square feet of brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.



Code Section:

Table 9.1 – Permitted and Conditional Uses in Nonresidential Zoning Districts

Properties located within the boundaries of the downtown overlay district with the underlying zoning of CBD are hereby permitted to operate micro-breweries subject to the granting of a conditional use permit under the terms and conditions of Article 34 and compliance with all applicable state and local alcoholic beverage licensing requirements. Table 9.1 are hereby provided to reflect this potential use:

Use	O-P	INST	NS	HB	CBD	M-1	M-2
Micro-brewery	X	X	X	X ₁	C	X	X
Micro-distillery	X	X	X	X ₁	C	X	X

Table 21.3 – Minimum and Maximum Number of Off-Street Parking Spaces Required

Use	Minimum Parking Required	Maximum Parking Permitted
Restaurant, bar, or tavern	One per 125 square feet	One per 75 square feet
Manufacturing, processing...	One per 1,300 square feet	One per 1,000 square feet

The total area to be used for the micro-brewery and restaurant is 8,700 square feet. The breakdown will be 2,000 square feet of the brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.

Restaurant bar or tavern: $5,900 / 125 = 47$ parking spaces minimum and $5,900 / 75 = 79$ parking spaces maximum.

Brewery (Manufacturing): $2,000 / 1,300 = 2$ parking spaces minimum and $2,000 / 1,000 = 2$ parking spaces maximum.

A total of 49 parking spaces minimum and 81 parking spaces maximum.

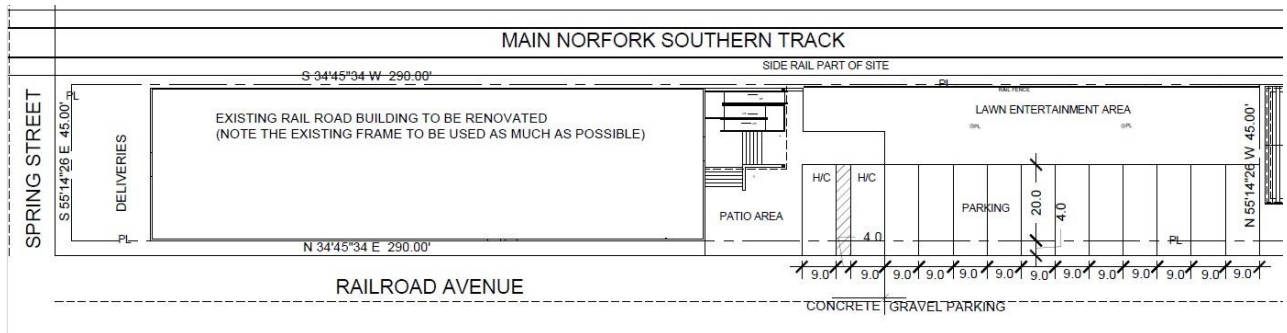


Sec. 21.5. - Parking Requirements in the CBD Zoning District.

It is the intent of this Section to give the Zoning Administrator maximum flexibility in administering the off-street parking requirements of this Article within the CBD zoning district, to promote redevelopment while ensuring that parking problems do not occur. Notwithstanding other provisions of this Article, off-street parking requirements of this Article may be administratively varied by the Zoning Administrator after considering the specific uses involved and the availability of on street and other (nearby) off-street parking.

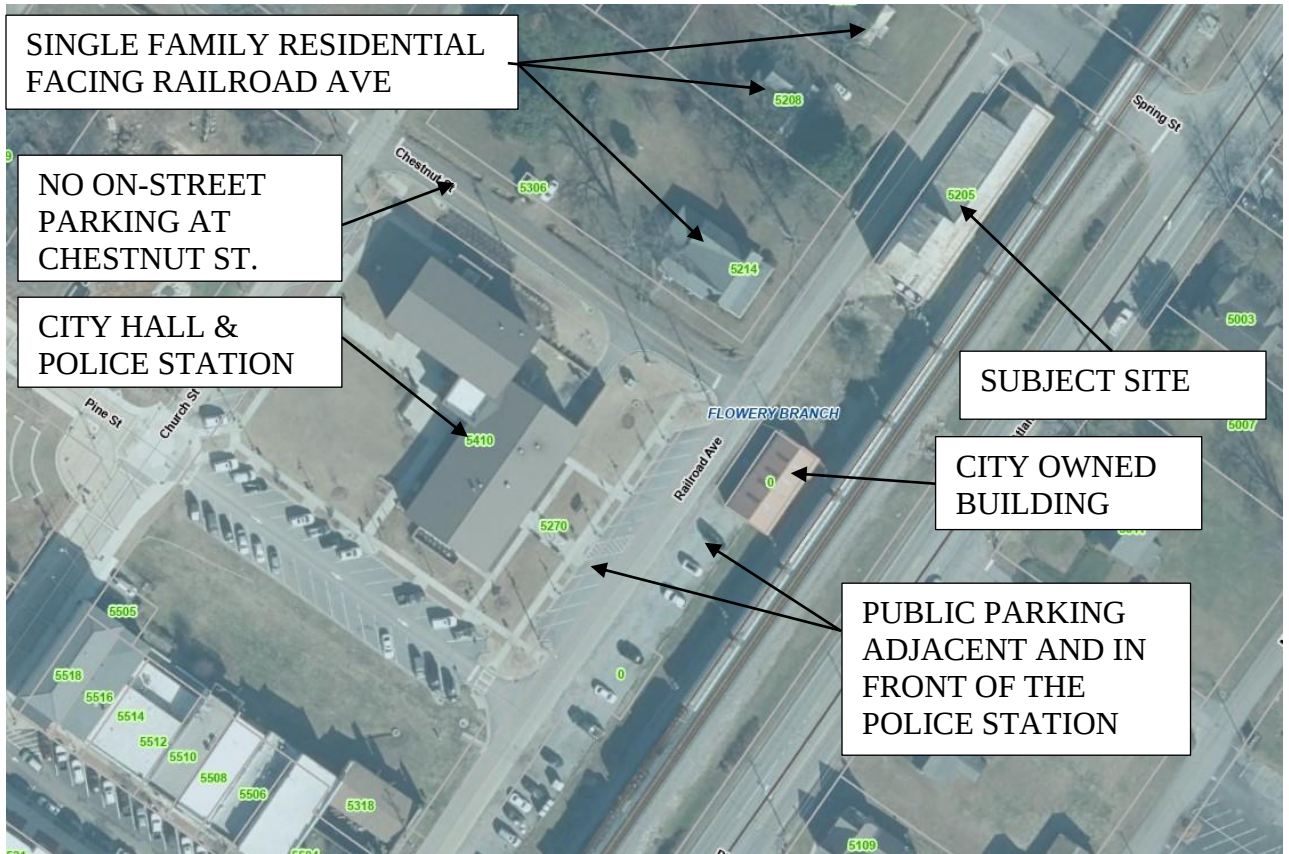
Zoning Administrator Response:

One of the heaviest uses for parking requirements is a restaurant. With +/- 5,900 square feet of restaurant area the required parking is significant. For the restaurant area alone, the required parking is 47 parking spaces. The applicant shows 13 parking spaces on the site plan.



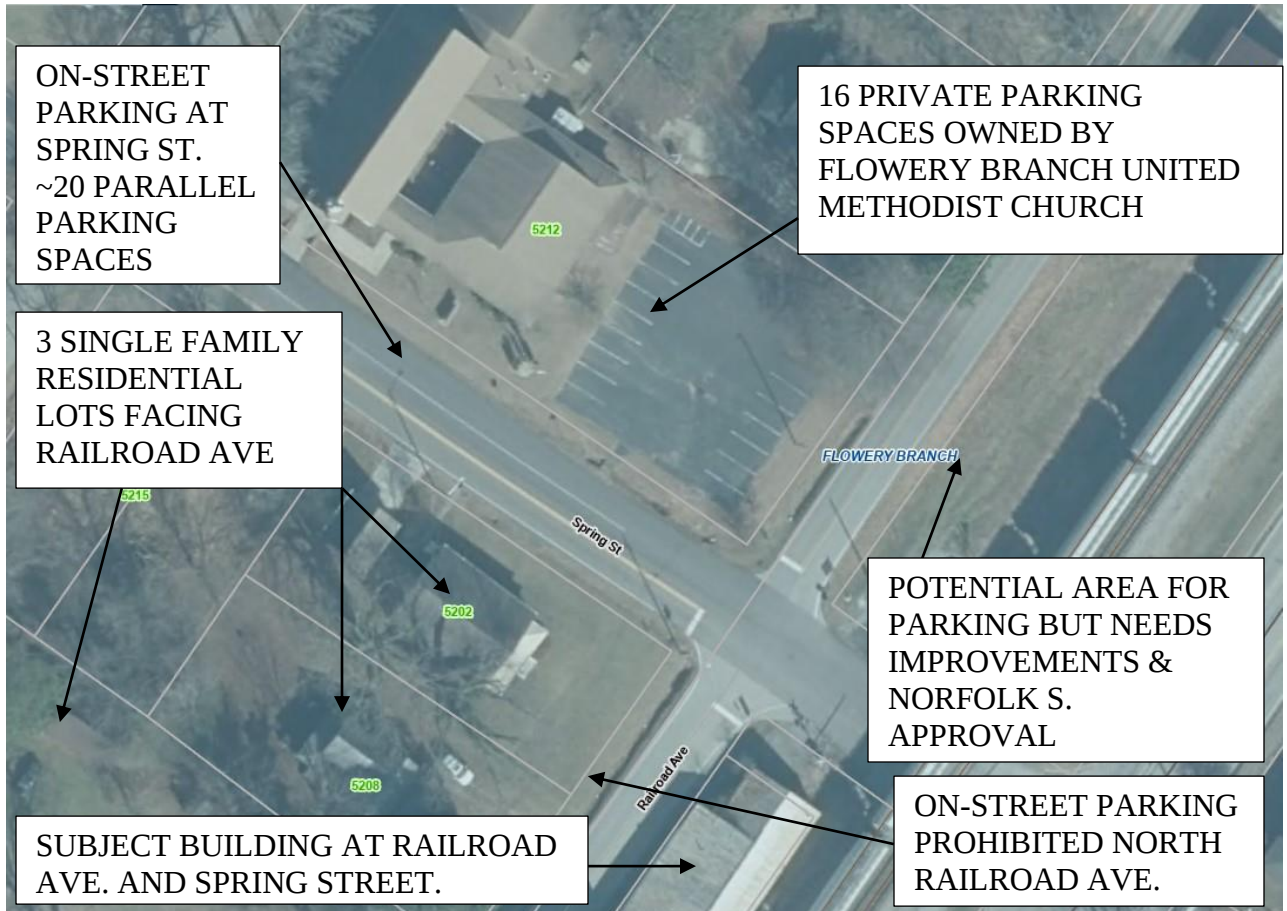


The image below focuses on public parking south of the subject building.





The image below focuses on public parking north of the subject building.



The parking area near the Police Headquarters supports the police fleet and is typically at full capacity. The proposed restaurant and brewery are expected to operate concurrently with other entertainment destinations in the downtown core, intensifying the demand for parking. During special events, parking availability for businesses in the area is already limited, and the addition of the restaurant would further increase this demand.

Existing and Potential Parking Options

1. **Core Downtown Parking:** The applicant shouldn't expect the availability of parking to support the restaurant exclusively along Railroad Avenue, Spring Street, and Main Street due to the current demands for the existing businesses.
2. **Spring Street On-Street Parking:** Approximately 20 parallel parking spaces are available on Spring Street, located north of the site.



3. **Norfolk Southern Property:** Additional parking may be possible on Norfolk Southern property north of the intersection of Railroad Avenue and Spring Street. However, this option would require the applicant to secure approval from Norfolk Southern and comply with the City's Development Regulations for parking lot improvements.
4. **Flowery Branch United Methodist Church:** There are an estimated 16 parking spaces at the church that could potentially be used. The applicant would need to establish a shared parking agreement with the church, record the agreement, and submit it to the City. However, there is no guarantee that the church will agree to this arrangement.

Parking Requirements and Recommendations

Given the existing parking constraints in the area, it is reasonable to require the applicant to address the parking deficiency through a combination of available options to meet the required parking capacity. The applicant must present a comprehensive parking solution.

If a sufficient solution is not provided, the Zoning Administrator concludes that parking issues will arise with the introduction of a restaurant at this location.

Sec. 21.11. - Stormwater Requirements for Large Parking Lots.

All off-street parking lots with ten or more spaces shall be required to have an oil/water separator device designed and constructed and shown in the stormwater management plan. Such device shall be approved by the City Engineer and shall be the responsibility of the property owner for maintenance and operation. The applicant is required to provide proper stormwater management at the issuance of a Land Disturbance Permit following the Conditional Use Permit approval.

Improvements for Pedestrians at offsite parking.

To ensure pedestrian safety, the City will evaluate the pathways from the offsite parking areas to the proposed business. If adequate infrastructure is not already in place, the applicant should be prepared to install marked crosswalks, appropriate signage at intersections, and sidewalk connections leading to the business.



Certificate of Appropriateness

Per the Historic District Ordinance, the subject building at 5205 Railroad Avenue (Parcel 08112 016001) is designated as historic building #62. A certificate of appropriateness shall be obtained prior to any material change in appearance of the designated historic property or any structure, site, or work of art located within a designated historic district; except as otherwise may be exempted by the City of Flowery Branch Historic Preservation Ordinance, Ordinance No. 375, as may be amended from time to time.

The applicant provided an existing condition report for the subject building by Tom Wright a Georgia registered Architect. The report provides an accurate representation of the building's current condition and highlights critical areas to address during the redevelopment process.

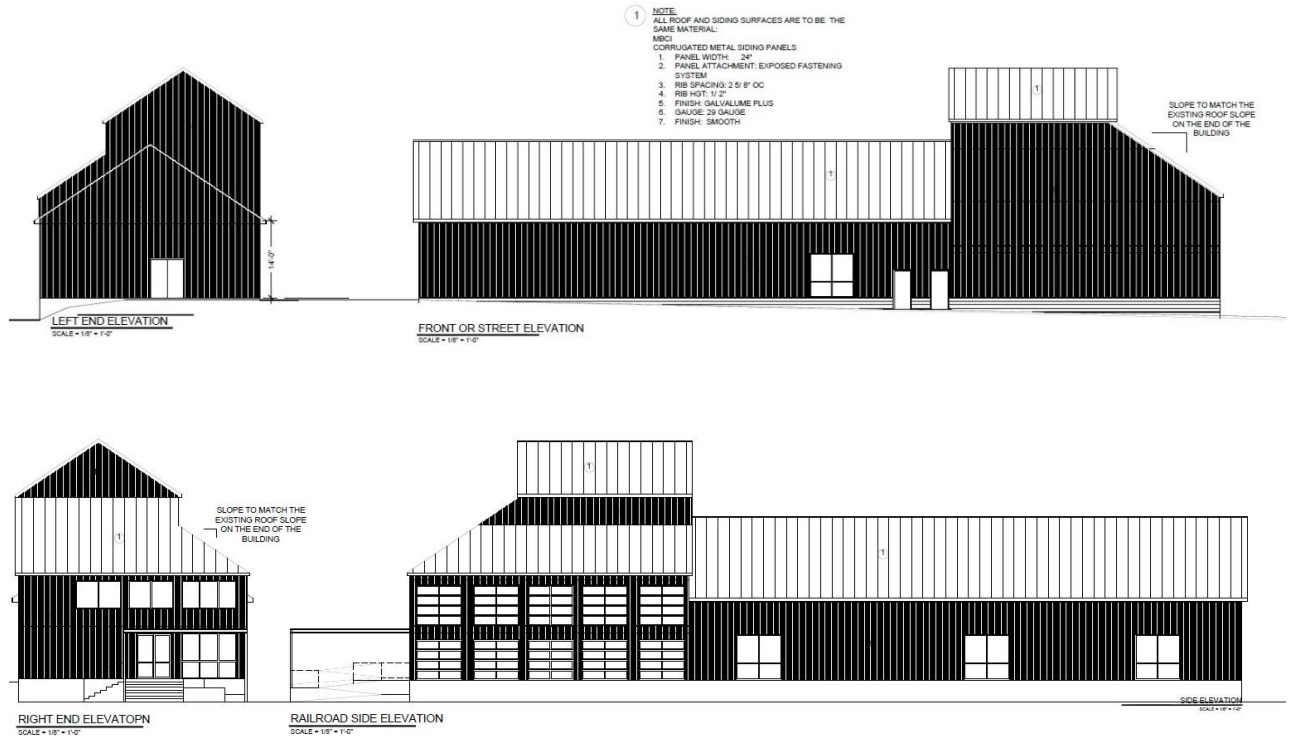
Summary of Recommended Actions

1. **Roof:** Full replacement or extensive repairs to address leaks and structural issues.
2. **Exterior Walls:** Repair and seal damaged wood elements; apply protective coatings to block walls.
3. **Foundation:** No action required at this time.
4. **Windows and Doors:** Replace or repair for improved functionality and aesthetics.
5. **Interior Repairs:** Address moisture infiltration, repair finishes, and consider new flooring installation.
6. **Utilities:** Conduct detailed inspections and upgrade as necessary to meet future operational demands.

The applicant will be required to file an application for a Building Permit and all required building codes will be reviewed for compliance.



The applicant provided black and white elevations with some description of the material.



- 1 NOTE:**
ALL ROOF AND SIDING SURFACES ARE TO BE THE SAME MATERIAL:
MBCI
CORRUGATED METAL SIDING PANELS
1. PANEL WIDTH: 24"
2. PANEL ATTACHMENT: EXPOSED FASTENING SYSTEM
3. RIB SPACING: 2 5/8" OC
4. RIB HGT: 1/2"
5. FINISH: GALVALUME PLUS
6. GAUGE: 29 GAUGE
7. FINISH: SMOOTH



The applicant provided the following color renderings of the subject building:



Facing Atlanta Highway and the Railroad Tracks.



Facing Railroad Avenue.

Subject: Review of Code Section 10.7 Application

The application of Code Section 10.7 should be reviewed with consideration that the building in question is an existing structure, previously used as a cabinet shop. This building has long been part of the character of the area between Railroad Avenue and the Norfolk Southern Railway, where most structures feature metal facades.

While the current condition of the building has deteriorated, requiring upgrades to the foundation and framing to be occupiable, its metal construction aligns with the historical character of the area. Typically, a metal building would be non-compliant; however, the code section allows for architectural designs to reflect the surrounding area's character. In this case, retaining a metal exterior would honor the building's history and maintain the corridor's aesthetic.

That said, there are other ways to achieve compliance with Code Section 10.7. For example:

- The façade parallel to Railroad Avenue is a continuous wall plane. To break up its length, the architect could incorporate windows and doors. While it may be challenging to add



- fenestrations due to the existing foundation, elements similar to those on the railroad-facing façade could be introduced.
- Landscaping shrubs could also be added to the grassed area between the building and the road to enhance visual appeal.

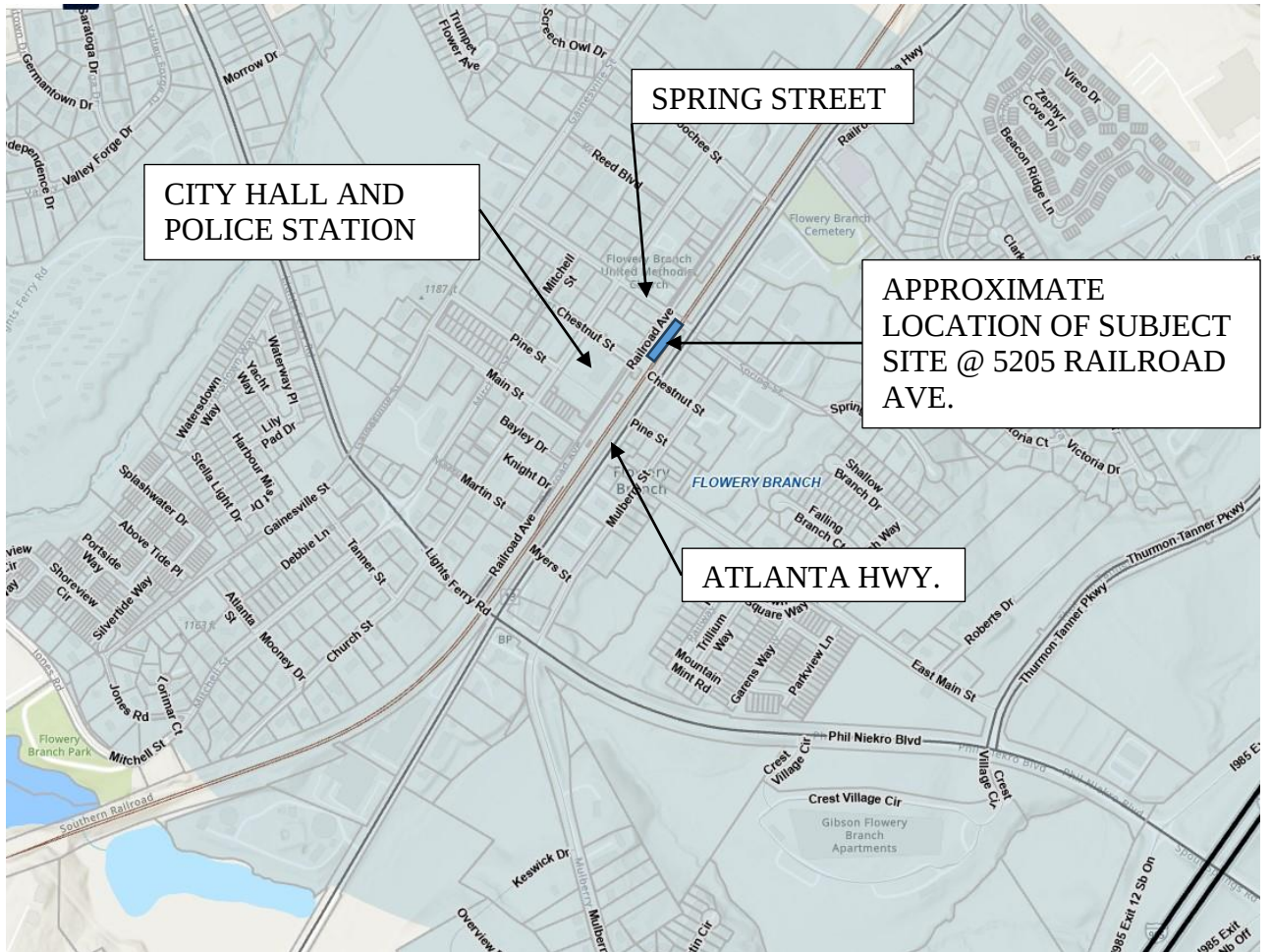
These design decisions would bring the structure closer to compliance while preserving its historic character.

Per the illustrations, the color of the Galvalume Plus metal siding appears to be a tan color with the roof material a darker grey. The architectural design prohibits highly reflective, shiny, or mirror-like materials.



Location Map:

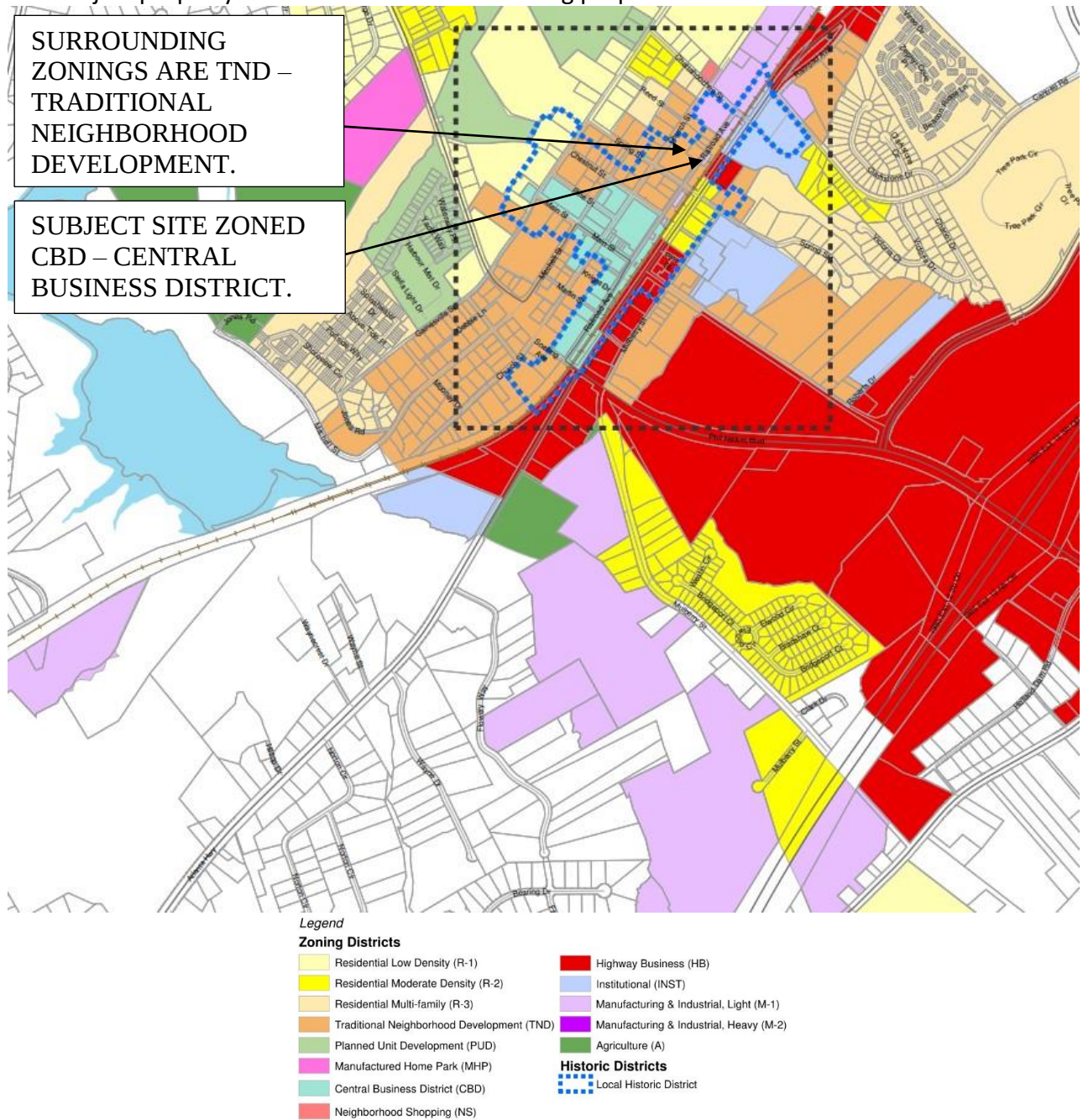
The subject site is located at 5205 Railroad Avenue near the intersection of Spring Street.





Zoning Map:

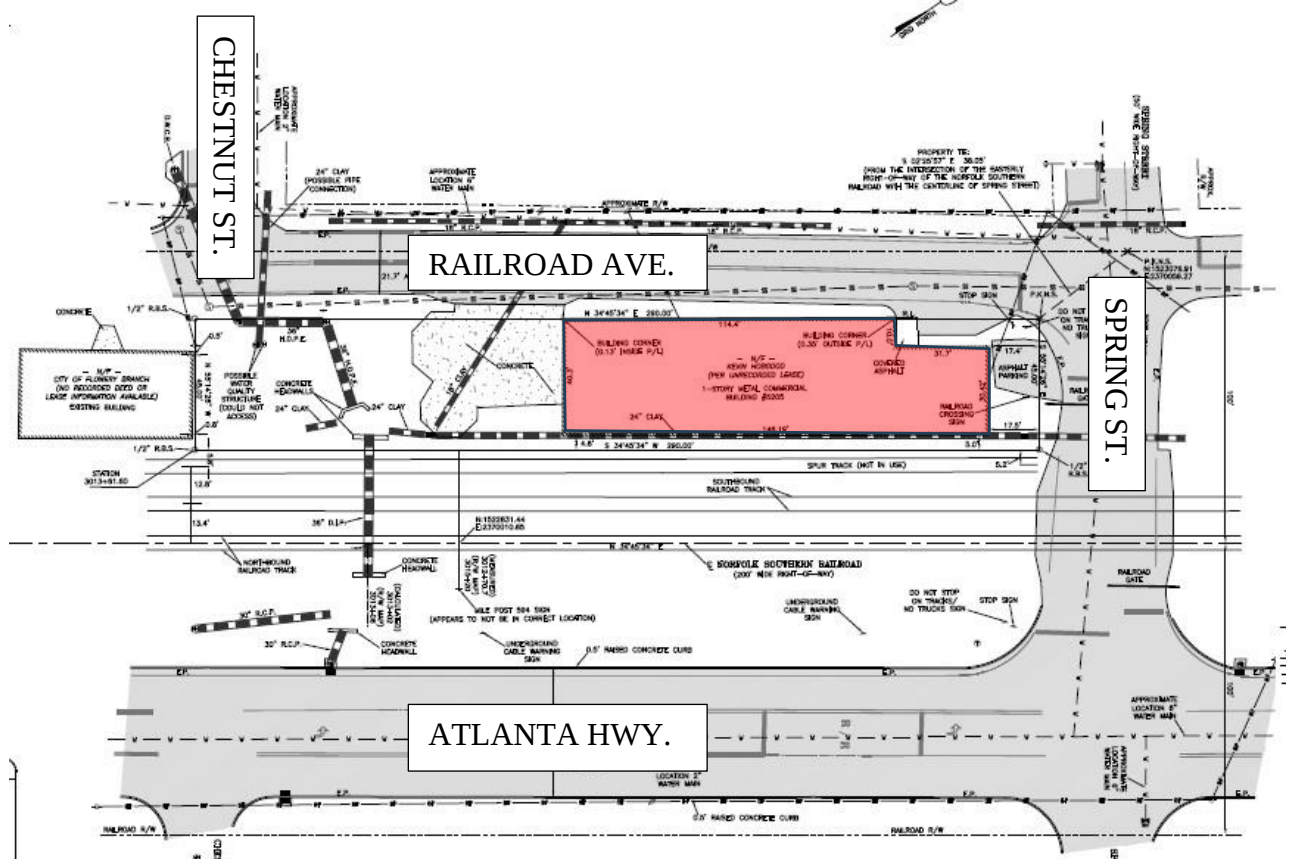
The subject property is zoned CBD. The surrounding properties are zoned TND.





Survey:

The survey provided with the CUP application shows the building relative to the property line but not the parking locations. A more current survey may be required prior to the issuance of permits.





Applications to amend the official zoning map and applications for conditional uses shall provide a written analysis comparing the proposed action with the criteria in this Section. A zoning map amendment or conditional use application may be justified only if it bears a reasonable relationship to the public health, safety, morality, or general welfare, and after consideration of the analysis requirements which may in individual cases be considered criteria relevant to the Zoning Administrator in making recommendations and by the City Council in the decision-making process.

- a) *Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*
Directly adjacent to the subject site are existing single-family residential uses. Most commercial uses nearby are further west on Railroad Avenue near Main Street.
- b) *Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.*
A higher intensity use, such as a restaurant, pub, or tavern could adversely impact the adjacent single-family residential uses that have only been adjacent to an unoccupied building.
- c) *Whether the property to be affected by the proposal can be used in accordance with the existing regulations and has reasonable economic use as currently zoned.*
The building is not occupied. Allowing the CUP would help the building be more economically viable.
- d) *Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*
The proposed use will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. Parking within the right-of-way of Railroad Avenue should be prohibited to not impact traffic patterns along the roadway.
- e) *Whether the proposal is in conformity with the policy and intent of the comprehensive plan including but not limited to the character area map and future land use plan map.*
The proposed micro-brewery would be in conformity with the policy and intent of the comprehensive plan.



- f) *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 proposal.*
There are no other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.
- g) *Existing use(s) and zoning of the subject property and nearby properties.*
Zoning adjacent to the subject building is zoned TND for single-family residential. The railroad is to the rear and no other uses are located on the sides.
- h) *Existing value of the property under the existing zoning district classification, the extent to which the property value of the subject property is diminished by the existing zoning district, and the value of the property under the proposed zoning district; if such information is provided by the applicant or can be discerned. This consideration may include the length of time the property has been vacant or unused as currently zoned and efforts taken by the property owner(s) to use the property or sell the property under the existing zoning district classification.*
The applicant did not provide data indicating the change to property value. The applicant did not provide the length of time that the building area has been vacant.
- i) *Whether a proposed zoning map amendment or conditional use approval will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.*
The proposed use should have no impact on the value or improvement of development of adjacent property.
- j) *The possible creation of an isolated zoning district unrelated to adjacent and nearby districts.*
The subject site is already zoned CBD.
- k) *Possible effects of the change in zoning district map, or change in use, on the character of a zoning district.*
The applicant provided limited architectural details. The existing building is constructed with corrugated metal siding. There is not enough detail to understand how the construction will change the character of the area.
- l) *The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.*



The applicant is subject to the requirements of an LDP including erosion control during land disturbance.

- m) *The relation that the proposed map amendment or conditional use bears to the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.*

The proposed CUP will have no impact on the purpose of the overall zoning scheme and the purposes of this Zoning Ordinance.

Staff Recommendation for Conditional Use Permit (CUP) & Certificate of Appropriateness

Recommendation:

Staff recommends **approval** of a **Certificate of Appropriateness** with the following conditions:

1. The building materials shall be similar to the information provided in note 1 on the building elevations.
2. The applicant shall add more wall openings adjacent to Railroad Avenue to break up the wall plane. It should be similar to the elevation facing Atlanta Highway. Final design to be approved by the Planning and Community Development Director.
3. The building finish shall be Galvalume Plus similar in color to the existing building maintaining the character of the building. The finish shall not be reflective or mirror-like finish. The applicant shall provide a sample of the material with colors for approval by the Planning and Community Development Director.
4. The applicant shall provide architectural details of the windows and doors including material and color. Final design to be approved by the Planning and Community Development Director.
5. The applicant shall provide details of the stepped decking and handicap ramps at the entrance for review of material and colors. Final design to be approved by the Planning and Community Development Director.

Staff recommends **approval** of the proposed **Conditional Use Permit (CUP)** for the operation of a micro-brewery located within the existing building at 5205 Railroad Avenue with the following conditions:

Conditions of Approval:

1. The Conditional Use Permit is issued to the entity obtaining the business license and should the occupant vacate the building, the Conditional Use Permit expires.
2. Adequate parking spaces shall be provided to support the proposed micro-brewery and restaurant per the requirements of Table 21.3. The applicant shall provide a parking plan



with a combination of proposed parking, street parking along Spring Street, and shared parking with any privately owned entity. The Planning and Community Development Director shall be provided a copy of the shared parking agreement should the applicant arrange approval of shared parking.

3. All parking spaces proposed must be compliant with Article 21.
4. The approval of the Conditional Use Permit does not provide approval of variances to Federal, State, or Local codes and regulations.
5. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.
6. The building plans shall be substantially similar to the area use breakdown provided by the applicant: The building is +/- 8,700 square feet. 2,000 square feet of brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.

Public Hearing Published	01/08/2025	First Reading	02/06/2025
Public Hearing	02/06/2025	Second Reading	03/20/2025

ORDINANCE NO. 730

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT (CUP) TO OPERATE A MICRO-BREWERY ON A PARCEL OF REAL PROPERTY OWNED BY KEVIN HOBGOOD, IDENTIFIED AS 5205 RAILROAD AVE., TAX PARCEL 08112 016001, TOTALING 0.30+/- ACRES AND AS SHOWN ON ATTACHED EXHIBIT “A”, AND AS CONDITIONED ON ATTACHED EXHIBIT “B”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Kevin Hobgood owns a parcel of land totaling 0.30+/- acres identified as Parcel Tax Identification No. 08112 016001, as shown and described on Exhibit “A”; and

WHEREAS, the subject property is zoned Central Business District and located in the Downtown Overlay District thus requiring a conditional use permit in order to be used as a micro-brewery; and

WHEREAS, Kevin Hobgood, has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting a conditional use permit (CUP) for the operation of a micro-brewery; and

WHEREAS, the City Council held a public hearing at the meeting of February 6, 2025 duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed conditional use permit request is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.
3. The property could be used in accordance with the existing regulations and has a reasonable economic use as without the issuance of a conditional use permit however, an alternative use is appropriately considered.

4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is generally in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between a development with or without a conditional use permit.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the issuance of a conditional use permit on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. APPROVAL OF CUP AND LEGAL DESCRIPTIONS.

A conditional use permit to operate a micro-brewery is hereby granted for the subject parcel, as shown and described on Exhibit “A”, subject to the conditions set forth in Exhibit “B”. Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be March 6, 2025.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 20th day of March, 2025.

Edward R. Asbridge, Mayor

ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Ted C. Baggett, City Attorney



All that tract or parcel of land lying and being in Land Lot 112, 8th Land District, City of Flowery Branch, Hall County, Georgia as shown on a plat prepared by Patton Land Surveying, LLC, for Kevin Hobgood, dated December 17th, 2024 and being more particularly described as follows:

Thence South 55 degrees 14 minutes 26 seconds East for a distance of 45.00 feet to a 1/2" rebar pin set;
Thence South 34 degrees 45 minutes 34 seconds West for a distance of 290.00 feet to a 1/2" rebar pin set;
Thence North 55 degrees 14 minutes 26 seconds West for a distance of 45.00 feet to a 1/2" rebar pin set;
Thence North 34 degrees 45 minutes 34 seconds East for a distance of 290.00 feet to a PK Nail set and
said point being the POINT OF BEGINNING.

Exhibit B

Conditions of Conditional Use Permit

1. The Conditional Use Permit is issued to the entity obtaining the business license and should the occupant vacate the building, the Conditional Use Permit expires.
2. Adequate parking spaces shall be provided to support the proposed micro-brewery and restaurant per the requirements of Table 21.3. The applicant shall provide a parking plan with a combination of proposed parking, street parking along Spring Street, and shared parking with any privately owned entity. The Planning and Community Development Director shall be provided a copy of the shared parking agreement should the applicant arrange approval of shared parking.
3. All parking spaces proposed must be compliant with Article 21.
4. The approval of the Conditional Use Permit does not provide approval of variances to Federal, State, or Local codes and regulations.
5. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.
6. The building plans shall be substantially similar to the area use breakdown provided by the applicant: The building is +/- 8,700 square feet. 2,000 square feet of brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.

Public Hearing Published	01/08/2025	First Reading	02/06/2025
Public Hearing	02/06/2025	Second Reading	03/20/2025

ORDINANCE NO. 730

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT (CUP) TO OPERATE A MICRO-BREWERY ON A PARCEL OF REAL PROPERTY OWNED BY KEVIN HOBGOOD, IDENTIFIED AS 5205 RAILROAD AVE., TAX PARCEL 08112 016001, TOTALING 0.30+/- ACRES AND AS SHOWN ON ATTACHED EXHIBIT “A”, AND AS CONDITIONED ON ATTACHED EXHIBIT “B”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, Kevin Hobgood owns a parcel of land totaling 0.30+/- acres identified as Parcel Tax Identification No. 08112 016001, as shown and described on Exhibit “A”; and

WHEREAS, the subject property is zoned Central Business District and located in the Downtown Overlay District thus requiring a conditional use permit in order to be used as a micro-brewery; and

WHEREAS, Kevin Hobgood, has submitted to the City Council of Flowery Branch, Georgia, a written and signed application requesting a conditional use permit (CUP) for the operation of a micro-brewery; and

WHEREAS, the City Council held a public hearing at the meeting of February 6, 2025 duly noticed as prescribed by law and published in the Gainesville Times, regarding said application, as shall be set forth in the minutes of said meeting.

NOW THEREFORE, THE COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. FINDINGS.

The City Council finds that the proposed conditional use permit request is consistent with the adopted standards for governing the exercise of the zoning power consistent with O.C.G.A. § 36-66-5 and requirements of the Zoning Ordinance as identified below.

1. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. The proposal is not expected to adversely affect the existing use or usability of adjacent or nearby property.
3. The property could be used in accordance with the existing regulations and has a reasonable economic use as without the issuance of a conditional use permit however, an alternative use is appropriately considered.

4. The development if approved and constructed is not expected to result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
5. The proposal is generally in conformity with the policy and intent of the comprehensive plan including the character area map and future land use plan map.
6. The proposal is considered appropriate in view of existing use(s) and zoning of the subject property and nearby properties.
7. No determination has been made by staff with regard to the value differential between a development with or without a conditional use permit.
8. A proposed development will not be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
9. There are no known adverse effects that would result from the issuance of a conditional use permit on the character of a zoning district.
10. Development as proposed is not expected to impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality. Compliance with city subdivision and land development regulations will be required, which include but are not limited to soil erosion and sedimentation, stormwater, and flood damage prevention.

SECTION 2. APPROVAL OF CUP AND LEGAL DESCRIPTIONS.

A conditional use permit to operate a micro-brewery is hereby granted for the subject parcel, as shown and described on Exhibit “A”, subject to the conditions set forth in Exhibit “B”. Said Exhibits are incorporated by reference as if fully set forth herein.

SECTION 3. AMENDMENT OF THE ZONING MAP.

This Ordinance is enacted as an amendment to the Zoning Map of Flowery Branch, Georgia. Accordingly, the Zoning Administrator is hereby authorized to update the Official Map consistent with Article 3 of the Zoning Ordinance.

SECTION 4. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE.

The effective date of this Ordinance shall be March 20, 2025.

SECTION 6. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 20th day of March, 2025.

Edward R. Asbridge, Mayor

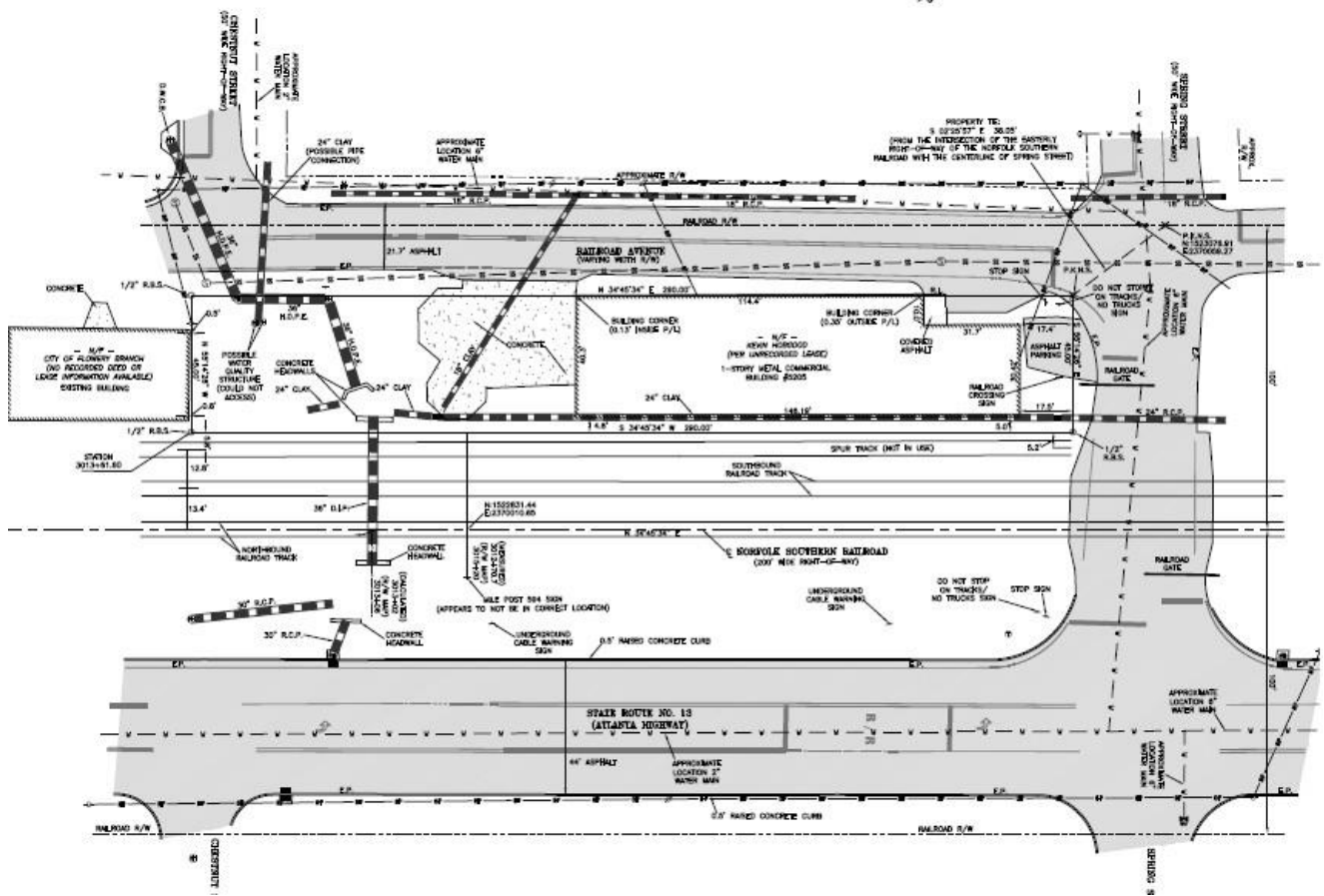
ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM

Ted C. Baggett, City Attorney

Exhibit A



Legal Description

All that tract or parcel of land lying and being in Land Lot 112, 8th Land District, City of Flowery Branch, Hall County, Georgia as shown on a plat prepared by Patton Land Surveying, LLC, for Kevin Hobgood, dated December 17th, 2024 and being more particularly described as follows:

Commencing at a PK Set at the intersection of the Easterly right-of-way line of the Norfolk Southern Railroad & the centerline of Spring Street (50' wide right-of-way), located at Georgia State Plane Coordinate Northing 1523076.91, Easting 2370059.27, Georgia West Zone, North American Datum of 1983/2007 adjustment, THENCE South 02 degrees 25 minutes 57 seconds East for a distance of 38.05 feet to a PK Nail set, and said point being the TRUE POINT OF BEGINNING.

Thence South 55 degrees 14 minutes 26 seconds East for a distance of 45.00 feet to a 1/2" rebar pin set; Thence South 34 degrees 45 minutes 34 seconds West for a distance of 290.00 feet to a 1/2" rebar pin set; Thence North 55 degrees 14 minutes 26 seconds West for a distance of 45.00 feet to a 1/2" rebar pin set; Thence North 34 degrees 45 minutes 34 seconds East for a distance of 290.00 feet to a PK Nail set and said point being the POINT OF BEGINNING.

Said property contains 0.30 acres more or less.

Exhibit B

Conditions of Conditional Use Permit

1. The Conditional Use Permit is issued to the entity obtaining the business license and should the occupant vacate the building, the Conditional Use Permit expires.
2. Adequate parking spaces shall be provided to support the proposed micro-brewery and restaurant per the requirements of Table 21.3. The applicant shall provide a parking plan with a combination of proposed parking, street parking along Spring Street, and shared parking with any privately owned entity. The Planning and Community Development Director shall be provided a copy of the shared parking agreement should the applicant arrange approval of shared parking.
3. All parking spaces proposed must be compliant with Article 21.
4. The approval of the Conditional Use Permit does not provide approval of variances to Federal, State, or Local codes and regulations.
5. The applicant must ensure that proper fire lanes, emergency access routes, and safety measures are in place in accordance with local fire codes and regulations.
6. The building plans shall be substantially similar to the area use breakdown provided by the applicant: The building is +/- 8,700 square feet. 2,000 square feet of brewery, 1,000 square feet of bathroom, 4,900 square feet of restaurant, and 800 square feet of mechanical.



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the Second Reading of Ordinance 733 for a Text Amendment to Add Sections 6.5 and Section 6.6; Text Amendment to Revise Table 6.1, Table 6.2 within Article 6, Article 12 Section 12.6 and definitions in Article 2, Section 2.1.

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

Ordinance 733 Public Hearing was held on February 20, 2025, Discussion on March 6, 2025, Second Reading on March 20, 2025

FACTS AND ISSUES:

Pursuant to Ordinance 733, Article 6 is hereby proposed to be amended to incorporate the Single-Family Townhome District (SF-TH) and Residential Multi-Unit (RMU) classifications. The permitted uses for each district are delineated in Sections 6.5 and 6.6. Additionally, Table 6.1 has been revised to reflect the permitted and conditional uses applicable to these classifications, and Section 6.2 has been amended to include the dimensional requirements for both SF-TH and RMU districts. Notwithstanding these amendments, the design requirements remain unchanged; for example, no building shall be permitted to contain more than six (6) townhome units. All applicable architectural standards remain in full force and shall be applied to all permit applications. Update to Article 12, Section 12.1 Townhomes, Updates and additions to Definitions as needed per this Ordinance in Article 2, Section 2.1.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

No

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval of Ordinance 733

SAMPLE MOTION:

COLLABORATING DEPARTMENT:

Planning

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Summary Changes to Ordinance 733 Article 6 - Article 12 - Article 2 from Public Hearing 3-20-2026.pdf](#)
- [Ordinance 733 \(Article 6 - Article 12\) March 20 2025.pdf](#)



Memorandum

To: City of Flowery Branch, Mayor, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: March 20, 2025

Subject: Executive Summary of Ordinance 733

The following items were adjusted in Ordinance 733 since the Public Hearing on February 20th, 2025 and discussion on March 6th, 2025.

For the apartment height. I was asked to look at 3 stories maximum height. I would like to give an opportunity for 3-4 splits when the topography makes a basement type construction more reasonable. 3 stories on the front and 4 in the back. We also need to look at maximum height with the maximum stories:

The total height of a **four-story residential apartment building**, including the roof peak, depends on several factors such as ceiling height, floor thickness, and roof design. Here's a general estimate:

Standard Breakdown:

- **Typical floor height:** ~10 feet per floor
- **Total for 4 floors:** ~40 feet
- **Floor structure thickness (between floors):** ~1–2 feet total
- **Roof peak height:**
 - **Flat roof:** Minimal extra height (~1–3 feet for parapet or mechanical structures)
 - **Gable/pitched roof:** ~10–15 feet at the peak

Total Estimated Height:

- **Flat Roof:** ~42–45 feet



- **Pitched Roof:** ~50–60 feet

Flowery Branch code does not define the height of a building so I must measure the height as the lowest point to the top of the roof pitch. On a 3-4 basement split we would need to allow 55' tall buildings. I will propose the maximum stories of the building like this: 3 stories on slab; 3-4 split on a basement construction.

For SF-TH townhomes:

Minimum side setback, interior lot line, all principal buildings (feet): 10 (min. 20 between buildings). On February 20th I presented 5 (min. 10 between buildings). Minimum rear setback, all principal buildings (feet) - 20; minimum distance of 25 from garage to sidewalk or back of curb for rear entry garages (whichever is greater). On February 20th I had just 20 for rear setbacks on the townhome zoning dimensional standards.

Minimum lot width (feet) from 20-feet to "Unit width plus side setback on end units." Added minimum unit (feet) width as 24 wide with rear entry garage; 26 wide with front entry garage.

Section 12.6

In order to be consistent with the changes made to the townhome dimensional standards Section 12.6 in Article 12 needed to be revised.

Sec. 12.6. Townhouses.

In zoning districts where permitted, fee-simple townhouses shall meet the following requirements:

- Lot Frontage and Lot Width.* Each platted lot shall have a minimum of twenty (20) feet of frontage on a public street or private road that meets public street standards, and each lot shall have a minimum lot width of ~~twenty (20) feet~~ **unit width plus side setback on end units.**
Consistent with Article 6
- Unit Width.* Each rear entry garage townhome shall have a minimum width of 24 feet and each front entry garage townhome shall have a minimum width of 26 feet. **Added as a new definition**



- ~~(b)~~(c) *Lot Size*. The minimum size of a lot for each fee-simple townhouse lot (i.e., the extent of land owned by the owner of the unit) shall be 2,000 square feet in lot area. **Reordered paragraphs after addition of new paragraph (b).**
- ~~(c)~~(d) *Front Building Setbacks*. There shall be a minimum twenty-five (20) (25) foot front setback from any perimeter boundary of the fee-simple townhouse subdivision and a 30 foot front setback from any public or private street exterior to or within the subdivision. **Increased to 25 to be consistent with Article 6.**
- ~~(d)~~(e) *Side Setbacks and Zero Lot Line*. Zero lot line between units within the same building shall be permitted, subject to applicable fire and building codes.
- ~~(e)~~(f) *Rear Setbacks*. There shall be a minimum twenty (20) foot rear setback from townhouse lot boundaries for all buildings and structures, except when the rear property line abuts an alley, in which case **no setback shall be required a minimum distance of twenty-five (25) foot from garage to sidewalk or back of curb for rear entry garages. Added 25' setback from garage to alley on rear entry garages.**

In **Article 2** (Definitions and Interpretations), **Section 2.1** (Use Definitions) revise definition of Dwelling, two-family (duplex), remove definition Dwelling multifamily, add definition Dwelling, residential multi-unit, add definition Dwelling, three-family (triplex), add definition Dwelling, single-family attached townhome.

ORDINANCE NO. 733

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FLOWERY BRANCH, GEORGIA, ORDINANCE NO. 733, TO ADD SECTION 6.5 (SF-TH, SINGLE FAMILY ATTACHED TOWNHOME DISTRICT) AND SECTION 6.6 (RMU, RESIDENTIAL MULTI-UNIT) WITHIN ARTICLE 6, TO STRIKE IN ITS ENTIRETY TABLE 6.1 (PERMITTED AND CONDITIONAL USES IN AGRICULTURAL AND CONVENTIONAL RESIDENTIAL ZONING DISTRICTS) AND TABLE 6.2 (DIMENSIONAL REQUIREMENTS FOR AGRICULTURAL AND CONVENTIONAL RESIDENTIAL ZONING DISTRICTS) WITHIN ARTICLE 6, TO ADD A NEW TABLE 6.1 (PERMITTED AND CONDITIONAL USES IN AGRICULTURAL AND CONVENTIONAL RESIDENTIAL ZONING DISTRICTS) AND TABLE 6.2 (DIMENSIONAL REQUIREMENTS FOR AGRICULTURAL AND CONVENTIONAL RESIDENTIAL ZONING DISTRICTS) WITHIN ARTICLE 6, TO STRIKE IN ITS ENTIRETY SECTION 12.6 (TOWNHOMES) IN ARTICLE 12 (REQUIREMENTS FOR SPECIFIC RESIDENTIAL PRINCIPAL BUILDINGS AND USES), TO ADD A NEW SECTION 12.6 (TOWNHOMES) IN ARTICLE 12, TO ADD NEW DEFINITIONS TO SECTION 2.1 (USE DEFINITIONS) OF ARTICLE 2, AS SHOWN ON ATTACHED EXHIBIT “A”; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING ORDINANCES, AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, the Zoning Ordinance of the City of Flowery Branch, Georgia, authorizes the amendment of the text of the City of Flowery Branch Zoning Ordinance by the City Council; and

WHEREAS, the Zoning Administrator is authorized, pursuant to Section 33.2 of the Zoning Ordinance, to initiate an amendment to the Zoning Ordinance for consideration by the City Council; and

WHEREAS, it is in the public interest to update existing codes; and

WHEREAS, the changes to the code enhance the health, safety, and overall general welfare of the citizens of Flowery Branch; and

WHEREAS, the City has complied with the Zoning Procedures Law and the requirements of Article 33 of the Zoning Ordinance with regard to text amendments, including the holding of an advertised public hearing; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FLOWERY BRANCH HEREBY ORDAINS THAT THE FLOWERY BRANCH ZONING ORDINANCE IS AMENDED AS FOLLOWS:

SECTION 1. AMENDMENT.

Add Section 6.5 (SF-TH – Single Family Attached Townhome District) and Section 6.6 (RMU – Residential Multi-Unit), strike in its entirety Table 6.1 (Permitted and Conditional Uses in Agricultural and Conventional Residential Zoning Districts) and Table 6.2 (Dimensional Requirements for Agricultural and Conventional Residential Zoning Districts) within Article 6 to be replaced with Table 6.1 (Permitted and Conditional Uses in Agricultural and Conventional Residential Zoning Districts) and Table 6.2 (Dimensional Requirements for Agricultural and Conventional Residential Zoning Districts) within Article 6, strike in its entirety Section 12.6 (Townhomes) in Article 12 (Requirements For Specific Residential Principal Buildings and Uses) to be replaced with a new Section 12.6 (Townhomes), in Article 2 (Definitions and Interpretations), Section 2.1 (Use Definitions) revise the definition of *Dwelling, two-family (duplex)*, remove definition of *Dwelling multifamily*, add definition of *Dwelling, residential multi-unit*, add definition *Dwelling, three-family (tri-plex)*, add definition of *Dwelling, single-family Attached Townhome*, as shown on Exhibit “A”.

SECTION 2. SEVERABILITY.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION 3. EFFECTIVE DATE.

The effective date of this Ordinance shall be upon approval by the City Council of the City of Flowery Branch, Georgia.

SECTION 4. REPEALER.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Approved this 20th day of March, 2025.

Edward R. Asbridge, Mayor

ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted Baggett, City Attorney

Exhibit "A"

Article 6

Sec. 6.5 – SF-TH, Single Family Attached Townhome District

- (a) *Purpose and Description.* This zoning district is intended exclusively for the development and construction of single family attached townhomes in accordance with the comprehensive plan. This district is also intended to implement the "urban density community" character area established in the comprehensive plan. The regulations that apply to the SF-TH district are designed to encourage the formation and continuance of a stable, healthy, and attractive living environment for its residents.
- (b) *Permitted and Conditional Uses.* Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses in Agricultural and Conventional Residential Zoning Districts."
- (c) *Dimensional Requirements.* Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements in Agricultural and Conventional Residential Zoning Districts."
- (f) *Design Requirements.* See Articles 10, 12, and 40 of this Zoning Ordinance.

Sec. 6.6. – RMU Residential Multi-Unit

- (a) *Purpose and Description.* This zoning district is intended to implement the "multi-unit-family residential" designation of the future land use plan contained within the comprehensive plan of the City of Flowery Branch. It is also intended to implement the "urban density communities" character area established in the comprehensive plan.
- (b) *Permitted and Conditional Uses.* Permitted and conditional uses shall be as provided in Table 6.1, "Permitted and Conditional Uses in Agricultural and Conventional Residential Zoning Districts."
- (c) *Dimensional Requirements.* Dimensional requirements shall be as provided in Table 6.2, "Dimensional Requirements in Agricultural and Conventional Residential Zoning Districts."
- (d) *Design Requirements.* See Articles 10, 12, and 40 of this Zoning Ordinance.
- (e) *Parking Requirements.* See Articles 21.

Table 6.1
Permitted and Conditional Uses in
Agricultural and Conventional Residential Zoning Districts
(P = Permitted Use C = Conditional Use X = Prohibited)

Use	A	R-1	R-2	MHP	SF-TH	RMU
Accessory apartment, attached	X	X	C	X	X	C
Accessory apartment, detached	X	C	C	X	X	C
Accessory building, structure, or use	P	P	P	P	X	P
Agriculture, production of field crops, fruits, nuts, and vegetables	P	P	X	X	X	X
Agriculture, raising of poultry or livestock	P	C	X	X	X	X
Cemetery	P	C	C	X	X	X
Church, temple, synagogue, or place of worship, including specified accessory uses (see Sec. 14.3) (Ord. 348-11)	C	C	C	X	X	X
Club or lodge, nonprofit, sponsored by a civic or similar organization	C	C	C	X	X	C
Community recreation	P	P	P	P	P	P
Conservation areas and passive recreational facilities	P	P	P	P	P	P
Conservation subdivision	C	C	P	P	X	X
Construction field office (temporary use)	X	X	P	P	P	P
Dwelling, single-family detached, fee-simple	P	P	P	X	P	X
Dwellings, single-family detached, condominium	X	X	X	X	P	X

Use	A	R-1	R-2	MHP	SF-TH	RMU
Dwelling, townhouse (single-family attached, fee-simple)	X	X	X	X	P	X
Dwelling, two-family (duplex); three-family (tri-plex)	X	X	X	X	P	X
Dwelling, multi-family (apartment, attached residential condominium)	X	X	X	X	X	C
Garden, non-commercial, accessory to single-family detached dwelling	P	P	P	X	X	X
Golf course	P	P	P	X	P	C
Guest house (accessory building/use)	P	P	P	X	X	X
Home occupation (Office Use Only)	P	P	P	P	P	P
Horse stables, non-commercial, as accessory to single-family residential use	P	C	X	X	X	X
Leasing or sales office for a subdivision or residential development (accessory or principal use)	P	P	P	P	P	P
Manufactured home, Class A	C	X	X	P	X	X
Model home for single-family subdivision or townhomes (temporary)	P	P	P	X	P	X
Public or semi-public use	P	P	P	X	P	P
School, private, elementary, middle, or high (Ord. 348-11)	C	C	x	X	X	X
School, special	C	X	x	X	X	X
Temporary use	P	P	P	X	P	P

Table 6.2
Dimensional Requirements for Agricultural and
Conventional Residential Zoning Districts

Requirement (measurement unit)	A	R-1	R-2	MHP	SF-TH	RMU
Maximum height (feet)	75	35	35	35	35	55
Maximum height (number of stories)	3	3	3	1	3	3 stories on slab; 3-4 split on a basement construction. Front elevation 3 story.
Maximum density (units per acre)	0.333	2.18	4	4	6	10
Minimum lot size for detached single- family dwelling (square feet) (1)	130,680	20,000	15,000	10,000	6,700	N/A
Minimum lot size for attached townhome, duplex and triplex (square feet) (1)	N/A	N/A	N/A	N/A	3,500	N/A
Minimum lot size for other uses (square feet) (1)	130,680	43,560	15,000	10,000	10,000	10,000
Minimum lot width for detached single- family. (square feet) (1)	200	90	75	50	40	N/A
Minimum unit width (feet) for single-family attached townhomes, duplex and tri-plex.	N/A	N/A	N/A	N/A	24 wide with rear entry garage; 26 wide with front entry garage.	N/A

Minimum heated floor area per dwelling unit (square feet)	2,500	2,200	2,000	1,000	1,500	1,000
Minimum front yard setback from lot line, all principal buildings, (feet)	80	35	25	25	25 (0 if dwellings are alley accessed with rear entry garages)	25
Minimum side setback, interior lot line, all principal buildings (feet)	25	25	15	20	10 (min. 20 between buildings)	20 (min. 10 between buildings)
Minimum side setback, corner lot, all principal buildings (feet)	60	35	25	20	10	20
Minimum rear setback, all principal buildings (feet)	35	25	20	20	20; minimum distance of 25' from garage to sidewalk or back of curb for rear entry garages.	20
Minimum setback, all principal or accessory buildings and structures abutting residential	Side and rear setbacks shall apply	50	50	100	50	50
Minimum width of natural buffer abutting residential	None			40	35	50
Minimum landscape strip required along rights-of-way for any nonresidential	15	15	10	10	20	20

use if permitted (width in feet)						
Minimum landscape strip required along rights-of-way for any apartment or condominium (residential multi- unit) use (width in feet)	N/A	N/A	N/A	N/A	N/A	20
Minimum landscape strip required along side property lines for any nonresidential use if permitted (width in feet)	5	5	5	5	5	5
Maximum coverage of principal and accessory buildings (percent of lot)	25	25	35	50	75	50
Minimum landscaped open space, all principal uses except detached, single- family residential lots (percent)	20	20	15	15	15	20

(1) Where an on-site sewerage system is used, minimum lot size requirements of the Hall County Environmental Health Department shall be required and may exceed these requirements.

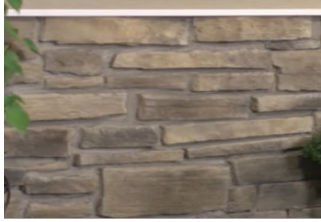
Article 12

Sec. 12.6. Townhouses.

In zoning districts where permitted, fee-simple townhouses shall meet the following requirements:

- a) *Lot Frontage and Lot Width.* Each platted lot shall have a minimum of twenty (20) feet of frontage on a public street or private road that meets public street standards, and each lot shall have a minimum lot width of unit width plus side setback on end units.
- b) *Unit Width.* Each rear entry garage townhome shall have a minimum width of 24 feet and each front entry garage townhome shall have a minimum width of 26 feet.
- c) *Lot Size.* The minimum size of a lot for each fee-simple townhouse lot (i.e., the extent of land owned by the owner of the unit) shall be 2,000 square feet in lot area.
- d) *Front Building Setbacks.* There shall be a minimum twenty-five (25) foot front setback from any perimeter boundary of the fee-simple townhouse subdivision and a 30-foot front setback from any public or private street exterior to or within the subdivision.
- e) *Side Setbacks and Zero Lot Line.* Zero lot line between units within the same building shall be permitted, subject to applicable fire and building codes.
- f) *Rear Setbacks.* There shall be a minimum twenty (20) foot rear setback from townhouse lot boundaries for all buildings and structures, except when the rear property line abuts an alley, in which case a minimum distance of twenty-five (25) foot from garage to sidewalk or back of curb for rear entry garages.
- g) *Building Separation.* There shall be a minimum building separation of twenty (20) feet between townhouse buildings.
- h) *Building Unit Offsets.* To avoid a monotonous appearance, for any given building, no more than six (6) units may have common walls. Any building containing more than three (3) units with common walls must have the front façade, rear façade, and the roof of each attached unit distinct from the other through separation, staggering, or offsets in design. A minimum of two (2) exterior colors shall be used on buildings containing up to four (4) units, and a minimum of three (3) exterior colors shall be used on buildings containing five (5) or six (6) units; however, when all exteriors are unpainted brick, they shall not be required to vary in color. See also Sec. 12.6.(k)1.
- i) *Rear Access.* Townhouse developments shall be designed to provide proper access to all dwelling units for firefighting purposes, as may be determined by applicable codes. Rear access, if required for firefighting purposes or by Subsection (n) below, shall be accomplished by alleys.
- j) *Parking.* Two enclosed parking spaces minimum per unit shall be provided.
- k) *Subdivision Plat Approval.* Each townhouse development or phase thereof shall require preliminary and final subdivision plat approval in accordance the City of Flowery Branch Subdivision and Land Development Ordinance.
- l) *Wall Finishes.*
 - 1. Exterior wall finish materials (excluding foundations, trim, windows and doors) shall be limited to: real brick (full-depth or thin brick), unpainted natural stone, unpainted cast stone, true three-coat cement stucco, natural wood or cementitious siding including lap siding and board and batten; and wood or cementitious shakes and shingles. A horizontal accent strip (i.e., band board or belly board / band) shall be used when there is a change in material. Each dwelling unit is limited to two of the allowed wall finishes listed in this subsection and one paint color. Adjoining or adjacent units shall not be the same exterior color.

The following are illustrative examples of wall finishes that DO NOT meet the requirements of this section:



Faux Stone Veneer



Faux Brick Veneer



Vinyl Siding

2. All street-facing façades shall meet the following requirements:

- a. Each applicable façade shall have: a minimum of 5% transparency (defined as the minimum percentage of windows and doors that must cover a ground or upper story façade) of the total wall area; and, a maximum of 20 feet of blank wall area (defined as the portion of the exterior façade of a building that does not include windows or doors; pilasters or other articulation greater than 12 inches in depth; or a substantial change in material) in either a vertical or horizontal direction.
 - b. False windows may count toward the transparency requirement where they are similar in size, shape, and materials to other windows on that building and consist of trim with closed shutters that have the appearance of a shuttered window or windows. A single louvered panel with trim may also count toward this requirement. False windows shall not be allowed to count toward this requirement unless shutters adjacent to a true window or windows are also provided on another exterior wall.
- (m) *Foundation Walls.* Exposed foundation walls must be faced in real brick or real stone to the level of the first finished floor when there is a basement or at least 24 inches above grade for the entire perimeter wall when the building has a slab on grade. Faux brick or stone foundation panels are prohibited.

The following are illustrative examples of foundation walls that DO NOT meet the requirements of this section:

		
Faux Brick Foundation Panel	Foundation wall missing/ insufficient height on the side	Foundation wall is only located on the front façade

- (n) *Roof Materials.* Pitched roofs shall be finished in either architectural shingles or standing seam metal roofs.
- (o) *Garage Placement and Materials.*
 - 1. Where townhouse developments abut public streets, lots fronting onto these streets shall address garage placement as follows: the front façade of the townhouse shall face the public street, and garages shall be rear-loaded.

2. Where front-loaded garages are allowed, garage doors shall be carriage-style (both the door style/paneling as well as the hardware) and may either:
 - a. Recess at least one foot behind the front wall plane of the dwelling unit and the front entrance. When the garage door is recessed less than one foot, there shall be required a garage eyebrow treatment (trellis, pergola, roof, or a second-story architectural feature) that extends at least one foot beyond the garage face.
 - b. Project beyond the front wall plane and the front entrance upon providing a garage eyebrow treatment (trellis, pergola, roof, or second-story architectural feature) that extends at least one foot beyond the garage face, as well as decorative lighting that is mounted above or to the sides of the garage door.
3. All front-loaded garages shall be finished in real brick or real stone. The finish shall cover the entire façade of a projecting garage. When garage doors are recessed in accordance with Sec. (n)2.a. above, the façade of the ground floor shall be finished in the required material(s).
4. Single-story detached garages that meet the requirements of subsections (k), (l) and (m) above and are placed to the rear of the building(s) are allowed in lieu of attached garages.

The following are illustrative examples of garage treatments that DO NOT meet the requirements of this section:



Brick or stone is only partially used or is not used at all as the required exterior finish, and carriage-style garage doors are not used. In addition, required elements over the projecting garages (left and middle examples) are missing.

- (p) *Private Open Space.* Private, usable open space, such as balconies, patios, decks, etc. shall be provided contiguous to each dwelling unit. The area of such open space for each dwelling unit shall not be less than 10% of the floor area of the unit served.
 1. Each dwelling unit with a rear-loaded garage shall provide a usable covered porch that runs the entire width of the front façade. The porch shall be at least 6 feet deep (not including steps, if applicable).
 2. Rear patios, decks and porches shall be covered with a roof, pergola, or projecting architectural feature that is designed with materials to match the façade and/or trim of the building.
- (q) *Residential Driveway Length.* Townhouses are required to have a minimum driveway length of twenty-three (23) feet as measured from the back of sidewalk or back of curb, as applicable.
- (r) *Design Review.* See Article 40.

Article 2

Sec. 2.1. – Use Definitions.

Dwelling, Residential Multi-Unit: A building other than a duplex, designed for or occupied exclusively by three (3) or more families or households with separate housekeeping facilities for each family or household. Apartment houses and residential condominium buildings containing two or more units are considered residential multi-units.

Dwelling, Single-Family Attached Townhome or Townhouse: A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Each unit is separated from any other unit by one or more vertical common fire-resistance-rated walls. A townhouse shall have at least two stories.

Dwelling, three-family (triplex): A building containing three and only three dwelling units.

Dwelling, two-family (duplex): A building containing two and only two dwelling units.



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider Resolution 25-002 to Amend the City of Flowery Branch Investment Policy.

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

Governmental operations recommend an investment policy. The current investment policy was updated on February 18th, 2020.

FACTS AND ISSUES:

The current investment policy was last updated on February 18th, 2020. It is recommended that policies be reviewed at least every five years. After review, only one change is recommended. The current recommendation is to increase the investments longer than one year from 20% of the portfolio to 30% of the portfolio. No other changes to the policies are recommended. As always, staff will ensure appropriate liquidity is available to maintain current operations.

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

RECOMMENDATION:

Approval

SAMPLE MOTION:

I make a motion to approve Resolution 25-002 to amend the City of Flowery Branch Investment Policy.

COLLABORATING DEPARTMENT:

DEPARTMENT: Finance

Prepared by: Shelia Cooper

ATTACHMENTS

- [Resolution 25-002 To amend the City of Flowery Branch Investment Policy.pdf](#)
- [Investment Policy - 03-03-2025.pdf](#)
- [Executive summary Investment Policy Updated.pdf](#)

RESOLUTION NO. 25-002

TO AMEND THE CITY OF FLOWERY BRANCH INVESTMENT POLICY.

WHEREAS, prudent governmental operations recommend an investment policy in order to effectively invest funds of the City of Flowery Branch; and

WHEREAS, the Mayor and Council of the City of Flowery Branch established the Investment Policy for the City of Flowery Branch on February 18th, 2020; and

WHEREAS, it is a prudent process to review and update city policies every 5 years; and

WHEREAS, city staff has reviewed the investment policy of the City of Flowery Branch at its 5 year mark; and

WHEREAS, the city staff, after careful review, recommends a change to the investments held longer than one year from 20% of the portfolio to 30% of the portfolio; and

NOW THEREFORE BE IT RESOLVED the governing body for the City of Flowery branch hereby adopts the amendments to the City of Flowery Branch Investment Policy and attached hereto and made a part of the Resolution.

SO RESOLVED this 20th day of March 2025.

Edward R. Asbridge, Mayor

ATTEST:

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted Baggett, City Attorney



The City of Flowery Branch

Investment Policy

Purpose

The purpose of this Investment Policy is to comply with Chapter 2256 of the Government Code (“Public Funds Investment Act”), which required each local government to adopt a written investment policy regarding the investment of its funds and funds under its control. The Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management for the City’s funds.

Although the Finance Department is responsible for all financial operations, authority over the Investment policy remains under the discretion of City Council, as indicated by Part 1 - City Charter, Article VIII, §8.1.

Section 1: Goals and Scope

Goals

- The primary goals of the City of Flowery Branch’s Investment Policy shall be:
 1. Ensure the safety of all funds entrusted to the City;
 2. Maintenance of sufficient liquidity to meet all necessary obligations to the City;
 3. Public trust from prudent investment activities; and
 4. Provide optimization of interest earnings on the portfolio

Scope

- The investment policy of the City of Flowery Branch shall govern the investments of all financial assets of the City. These funds are accounted for in the City’s Annual Audit Report and include:
 - General Fund
 - Enterprise Funds
 - Special Revenue Funds
 - Capital Project Funds
 - Debt Service Funds, including reserves and sinking funds, to the extent not required by law or existing contract to be kept segregated and managed separately
 - Other funds established from time to time

- Except for cash in certain restricted and special funds, the City may consolidate cash and investment balances to ease cash management operations and maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.
- This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the forgoing funds. However, this policy does not apply to the assets administered for the benefit of the City by outside agencies under deferred compensation programs or other post-employment benefits (OPEB) trust funds.

Section 2: Investment Objectives

- The primary objectives of investment activities shall be safety, liquidity, public trust and optimization of interest earnings. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and Local Law.

Safety

- Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.
 - Credit Risk
 - The City of Flowery Branch will minimize credit risk, which is the risk of loss of all or part of the investment due to the failure of the security issuer or backer by:
 - Limiting investments to the types of securities listed later in this investment policy;
 - Pre-qualifying and conducting ongoing due diligence of the financial institutions, broker/dealers, intermediaries, and advisors with which the City of Flowery Branch will do business with;
 - Diversifying the investment portfolio so that the impact of potential losses from any one type of security or any one individual issuer will be minimized.
 - Interest Rate Risk
 - The City of Flowery Branch will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates by:
 - Structuring the investment portfolio so that security materials match cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market before maturity

- Investing operating funds primarily in shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds or certificates of deposit
- Diversifying maturities and staggering purchase states to minimize the impact of market movements over time.

Liquidity

- This investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrently with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity). Alternatively, a portion of the portfolio may be placed in money market mutual funds or local government investment pools which offer same-day liquidity for short-term funds.

Public Trust

- All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

Yield (Optimization of Interest Earnings)

- The investment portfolio shall be designed to attain a market rate of return throughout budgetary and economic cycles, considering the investment risk constraints and liquidity needs. The core investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity with the following exceptions:
 - A security with declining credit may be sold early to minimize loss of principal;
 - Selling a security and reinvesting the proceeds that would improve the quality, yield, or target duration in the portfolio may be undertaken;
 - Unanticipated liquidity needs of the portfolio require that the security be sold

Section 3: Standards of Care

Prudence

- The standard of prudence to be used by investment officials shall be the "uniform prudent investor act" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this

investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion, and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

Ethics and Conflicts of Interest

- Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business, in accordance with applicable laws. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

Delegation of Authority

- Pursuant to O.C.G.A Section 36-83-4, authority to manage the investment program is granted to the City's Finance Director herein referred to as the investment officer. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with established objectives and standards of care for the operation of this investment program. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer.

Training Requirement

- In accordance with the Public Funds Investment Act, designated Investment Officers shall attend an investment training session no less often than once in a two-year period that begins on the first day of the City's fiscal year and consists of two consecutive fiscal years after that date and shall receive not less than 8 hours of instruction relating to investment responsibilities. A newly appointed Investment Officer must attend a training session of at least 10 hours of instruction within twelve months of the date the Officer took office or assumed the Officer's duties.
- The investment training session shall be provided by an independent source approved by the City Council. For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institution of higher education or any other sponsor other than a business organization with whom the City may engage in an investment transaction.
 - Sources approved to provide training to the City's Investment Officer include:
 - Government Finance Officers Association (GFOA)
 - Georgia Government Finance Officers Association (GGFOA)

- University of Georgia – Carl Vinson Institute of Government (CVIOG)
- Any higher education organization that has an Public Management or Public Administration program.

Section 4: Authorized Financial Institutions, Depositories, and Broker/Dealers

Authorized Financial Institutions, Depositories, and Broker/Dealers

- A list will be maintained of financial institutions and depositories authorized to provide investment services. In addition, a list will be maintained of approved security broker/dealers selected by creditworthiness and/or other factors, such as FINRA broker check.
- All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:
 - Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines
 - Proof of Financial Industry Regulatory Authority (FINRA) certification (not applicable to Certificate of Deposit counterparties)
 - Proof of state registration
 - Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties)
 - Certification of having read and understood and agreeing to comply with the City of Flowery Branch's investment policy
 - Evidence of adequate insurance coverage exceeding at a minimum of 10% over the amount of the investment by the City.
- An annual review of the financial condition and registration of all qualified financial institutions and broker/dealers will be conducted by the investment officer.

Section 5: Safekeeping and Custody

Delivery vs. Payment

- All trades of marketable securities will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible custody account prior to the release of funds.

Safekeeping

- The City's Finance Department will hold securities with all securities held in the City's name.

Internal Controls

- The investment officer shall establish a system of internal controls, which shall be documented in writing. The internal controls shall be reviewed annually by City Council

and with the independent auditor for the City. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the City. The internal controls shall address the following points:

- Control of collusion
- Separation of transactions authority from accounting and record keeping
- Custodial safekeeping
- Avoidance of physical delivery securities
- Clear delegation of authority to subordinate staff members
- Written confirmation for telephone (voice) transactions for investments and wire transfers
- Development of a wire transfer agreement with the depository bank or third party custodian
- Documentation of transactions and strategies
- Monitor rating changes in investment acquired with public funds through websites such as Moody's, Standard & Poor's (S&P), and Electronic Municipal Market Access (EMMA)

Section 6: Suitable and Authorized Investments

Investment Types

- Consistent with the GFOA Policy Statement on State and Local Laws Concerning Investment Practices and O.C.G.A. §36-80-3, this policy will permit the following investments:
 - Obligations of the United States and of its agencies and instrumentalities;
 - Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities; and
 - Certificates of deposit of banks which have deposits insured by the Federal Deposit Insurance Corporation; provided, however, that the portion of such certificates of deposit in excess of the amount insured by the Federal Deposit Insurance Corporation shall be secured by direct obligations of this state or the United States which are par value equal to that portion of such certificates of deposit which would be uninsured.
 - Local Government Investment Pool (ex. Georgia Fund 1)
- Investment derivatives of the above instruments shall require authorization by City Council.

Collateralization

- Where allowed by governing legislation and in accordance with the GFOA Recommended Practices on the Collateralization of Public Deposits, full collateralization will be required on all demand deposit accounts, including checking accounts and non-negotiable certificates of deposit (See GFOA Recommended Practices in Appendix).

Repurchase Agreements

- Repurchase agreements shall be consistent with GFOA Recommended Practices on Repurchase Agreements. (See GFOA Recommended Practices in Appendix.)

Investment Diversification and Constraints

- Diversification
- It is the policy of the City of Flowery Branch to diversify its investment portfolios. To eliminate the risk of loss resulting from the overconcentration of assets in a specific maturity, issuer, or class of securities, all cash and cash equivalent assets in all City funds shall be diversified by maturity, issuer, and security type. Diversification strategies shall be determined and revised periodically by the investment officer for all invested funds.
- In establishing specific diversification strategies, the following general policies and constraints shall apply:
 - Portfolio maturities shall be staggered to avoid undue concentration of assets in a specific maturity sector. Maturities selected shall provide for stability of income and reasonable liquidity
 - Liquidity shall be assured through practices ensuring that the next disbursement date and payroll date are covered through maturing investments or marketable U.S. Treasury bills.
 - Positions in securities having potential default risk (i.e. commercial paper) shall be limited in size so that in case of default, the portfolio's annual investment income will exceed a loss in a single issuer's securities.
 - Risks of market price volatility shall be controlled through maturity diversification and duration management.
 - The investment officer shall establish strategies and guidelines for the percentage of the total portfolio that may be invested in securities other than repurchase agreements, Treasury bills, or collateralized certificates of deposit. The investment officer shall conduct a quarterly review of these guidelines and evaluate the probability of market and default risk in various investment sectors as part of its considerations.

Maximum Exposure Guidelines

- Risk of principal loss in the portfolio shall be minimized by diversifying investment types according to staff recommendations for current economic conditions.

Default risk

- No more than 15 percent of the overall portfolio may be invested in the securities of a single issuer, except for securities of the U.S. Treasury. No more than 15 percent of the portfolio may be invested in each of the following categories of securities:
 - Money Market Mutual Funds,
 - Negotiable certificates of deposit,

- Bankers' acceptances,
- Any other obligation that does not bear the full faith and credit of the United States government or which is not fully collateralized or insured

Liquidity risk

- Based on liquidity needs, at least 10 percent of the overall portfolio shall be invested in overnight instruments or in marketable securities, which can be converted to cash within one day.

Maximum Maturities

- No more than 30 percent of the portfolio may be invested beyond 12 months, and the weighted average maturity of the portfolio shall never exceed 5 years.
- To the extent possible, the City shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five (5) years from the date of purchase or in accordance with governing legislation. The City shall adopt weighted average maturity limitations consistent with the investment objectives.
- Reserve funds shall be considered the "core" investment portfolio and invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to City Council. (See the GFOA Recommended Practice on "Maturities of Investments in a Portfolio" in Appendix.)

Competitive Bids

- The investment officer shall solicit competitive bids from at least three brokers or financial institutions on all purchases and sales of investment instruments transacted on the secondary market.

Section 7: Reporting

Methods

- The investment officer shall prepare an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and the individual transactions executed over the last quarter. This management summary shall be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the City Manager, City Council, and any pool participants. The report will include the following:
 - Listing of individual securities held at the end of the reporting period, including type, acquisition, cost, and market value.

- Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities over a one-year duration that is not intended to be held until maturity (in accordance with Government Accounting Standards Board (GASB) requirements)
- Average weighted return on investments as compared to applicable benchmarks
- Percentage of the total portfolio which each type of investment represents
- A statement that the investment portfolio follows the investment policy and is meeting the investment policy objectives
- List ratings for active investments from research from websites such as Moody's, Standard & Poor's (S&P), and Electronic Municipal Market Access (EMMA)

Performance Standards

- The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain an average market rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks shall be established against which portfolio performance shall be compared on a regular basis. The benchmarks shall be reflective of the actual securities being purchased and risks undertaken, and the benchmarks shall have similar weighted average maturity as the portfolio.

Market to Market

- The market value of the portfolio shall be calculated at least quarterly, and a statement of the market value of the portfolio shall be issued at least quarterly. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed consistent with the GFOA Recommended Practice on "Mark-to-Market Practices for State and Local Government Investment Portfolios and Investment Pools." (See GFOA Recommended Practices in Appendix.)

Section 8: Policy Considerations

Amendments

- This policy shall be reviewed at least every 5 years. Any changes must be submitted by the investment officer and approved by City Council.

Approval of Investment Policy

- The investment policy shall be formally approved and adopted by the governing body of the City of Flowery Branch and reviewed annually.
 - Date Created: January 13, 2020
 - Last Revised: February 18, 2020
 - Last Revised: March 3, 2025

○ Next Review by: March 3, 2030

FLOWERY BRANCH CITY COUNCIL
EXECUTIVE SUMMARY

SUBJECT: Resolution 25-002 to amend the City of Flowery Branch Investment Policy

DATE: March 20, 2025

☒ **RECOMMENDATION**

☐ **POLICY DISCUSSION**

BUDGET INFORMATION:

☐ **STATUS REPORT**

ANNUAL-

☐ **OTHER**

CAPITAL-

COUNCIL ACTION REQUESTED ON: March 20, 2025

PURPOSE: Resolution No. 25-002 to amend the City of Flowery Branch Investment Policy.

HISTORY: Governmental operations recommend an investment policy. The current investment policy was updated on February 18th, 2020.

FACTS AND ISSUES: The current investment policy was last updated on February 18th, 2020. It is recommended that policies be reviewed at least every five years. After review, two changes are recommended. The current recommendations are (1. to increase the investments longer than one year from 20% of the portfolio to 30% of the portfolio; and 2. Review the policy at lease every 5 years instead of annually). No other changes to the policies are recommended. As always, staff will ensure appropriate liquidity is available to maintain current operations.

OPTIONS:

RECOMMENDED SAMPLE MOTION: I make a motion to approve Resolution 25-002 to amend the City of Flowery Branch Investment Policy.

DEPARTMENT: Finance Department

Prepared by: Matthew Hamby



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider the First Reading of Ordinance 736 for an Amendment to the Charter of the City of Flowery Branch to Increase the Amount of Per Diem for Meeting Attendance by the Mayor and Councilmembers

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

On 8/15/2023, the council adopted Ordinance 477 allowing for the current per diem which is \$50 per diem for the Mayor and Councilmembers attending meetings officially representing the City of Flowery Branch, not to exceed five (5) meetings per month. If the Mayor and Council all requested this amount monthly (many do not), the maximum annual amount of the expense would be \$18,000.

FACTS AND ISSUES:

After much research of area local governments, it is apparent that Flowery Branch's per diem is well below the average for others which is \$100 - \$150 per meeting. The base salaries will remain the same, which are \$9,000 annually for the mayor and \$7,200 annually for each council member.

This proposed amendment to the charter would allow for increasing Flowery Branch's per diem per meeting to \$100 per meeting for up to eight (8) meetings per month. This would be an annual increase to the budget of up to \$39,600.

In comparison to the City of Gainesville's recent increase, the Mayor of Gainesville can attend up to 216 meetings per year (18 meetings per month) at a per diem rate of \$150 per meeting (adopted by Gainesville's City Council in 2015) which equates to a maximum allowable annual per diem of reimbursement of \$32,400. Council members from Gainesville can attend up to 192 meetings per year (16 meetings per month) at a per diem rate of \$150 per meeting which equates to a maximum allowable annual per diem reimbursement of \$28,800 each. Flowery Branch's elected officials attend many of the same meetings and, if this amendment passes, will be able to be reimbursed up to \$9,600 each annually or a total expense to the City of Flowery Branch of \$57,600 if the mayor and each council member requested the maximum amount throughout the year.

If this ordinance passes, the effective date would be January 1, 2026.

The City Attorney, in drafting the ordinance, has removed the words "scheduled, special, called or a" which preceded the word "meeting" in Section 2.7(a)(2) of the Charter in order to remove confusion about the types of meetings that are included.

OPTIONS:

- 1) Adopt Ordinance No. 736.
- 2) Do not adopt Ordinance No. 736.

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

If approved this will be budgeted in FY26.

RECOMMENDATION:

To consider an amendment to the charter to increase the per diem and number of meetings for which per diem can be requested by Mayor and Council.

SAMPLE MOTION:

I make a motion to Adopt Ordinance No. 736 amending the charter of the City of Flowery Branch, GA to increase the per diem for meeting attendance and the number of allowable meetings for Mayor and Council.

COLLABORATING DEPARTMENT:

DEPARTMENT: Administration

Prepared by: Shelia Cooper

ATTACHMENTS

- [ES - Charter Amendment - change to per diem.pdf](#)
- [Ord 736 Flowery Branch City Charter per diem Amendment alternative redline 3 3 25.pdf](#)
- [Ordinance 736 Flowery Branch City Charter per diem Amendment.pdf](#)



FLOWERY BRANCH CITY COUNCIL EXECUTIVE SUMMARY

SUBJECT: Consider Ordinance No. 736 an Amendment to the Charter of the City of Flowery Branch to Increase the Amount of Per Diem for Meeting Attendance by the Mayor and Councilmembers

DATE: March 14, 2025

(X)RECOMMENDATION
() POLICY DISCUSSION
() STATUS REPORT
() OTHER

BUDGET INFORMATION:
ANNUAL- \$39,600
CAPITAL-

COUNCIL ACTION REQUESTED ON: March 20, 2025

PURPOSE: To consider an amendment to the charter to increase the per diem and number of meetings for which per diem can be requested by Mayor and Council.

HISTORY: On 8/15/2023, the council adopted Ordinance 477 allowing for the current per diem which is \$50 per diem for the Mayor and Councilmembers attending meetings officially representing the City of Flowery Branch, not to exceed five (5) meetings per month. If the Mayor and Council all requested this amount monthly (many do not), the maximum annual amount of the expense would be \$18,000.

FACTS AND ISSUES: After much research of area local governments, it is apparent that Flowery Branch's per diem is well below the average for others which is \$100 - \$150 per meeting. The base salaries will remain the same, which are \$9,000 annually for the mayor and \$7,200 annually for each council member.

This proposed amendment to the charter would allow for increasing Flowery Branch's per diem per meeting to \$100 per meeting for up to eight (8) meetings per month. This would be an annual increase to the budget of up to \$39,600.

In comparison to the City of Gainesville's recent increase, the Mayor of Gainesville can attend up to 216 meetings per year (18 meetings per month) at a per diem rate of \$150 per meeting (adopted by

Gainesville's City Council in 2015) which equates to a maximum allowable annual per diem of reimbursement of \$32,400. Council members from Gainesville can attend up to 192 meetings per year (16 meetings per month) at a per diem rate of \$150 per meeting which equates to a maximum allowable annual per diem reimbursement of \$28,800 each. Flowery Branch's elected officials attend many of the same meetings and, if this amendment passes, will be able to be reimbursed up to \$9,600 each annually or a total expense to the City of Flowery Branch of \$57,600 if the mayor and each council member requested the maximum amount throughout the year.

If this ordinance passes, the effective date would be January 1, 2026.

The City Attorney, in drafting the ordinance, has removed the words "scheduled, special, called or a" which preceded the word "meeting" in Section 2.7(a)(2) of the Charter in order to remove confusion about the types of meetings that are included.

OPTIONS:

- 1) Adopt Ordinance No. 736.
 - 2) Do not adopt Ordinance No. 736.
-
-

RECOMMENDED SAMPLE MOTION:

I make a motion to Adopt Ordinance No. 736 amending the charter of the City of Flowery Branch, GA to increase the per diem for meeting attendance and the number of allowable meetings for Mayor and Council.

DEPARTMENT: Administration

Prepared by: Tonya Parrish

**STATE OF GEORGIA
CITY OF FLOWERY BRANCH**

ORDINANCE NO. ____

**AN ORDINANCE TO AMEND THE CHARTER OF THE
CITY OF FLOWERY BRANCH**

AN ORDINANCE AMENDING THE CITY CHARTER OF THE CITY OF FLOWERY BRANCH, GEORGIA TO INCREASE THE AMOUNT OF PER DIEM FOR MEETING ATTENDANCE BY THE MAYOR AND COUNCILMEMBERS, PROVIDING FOR AN EFFECTIVE DATE, AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, changes to the City Charter may be made by the Mayor and City Council under the Home Rule Powers of a municipality as set forth in Chapter 35 of Title 36 of the O.C.G.A.; and

WHEREAS, in accordance with O.C.G.A. § 36-35-6(b)(1), a notice containing a synopsis of the proposed amendment was published in the official organ of the county or in a newspaper of general circulation in the municipal corporation once a week for three weeks within a period of 60 days immediately preceding its final adoption; and

WHEREAS, municipal charters may be amended by ordinances duly adopted at two regular consecutive meetings of the municipal governing authority, not less than seven nor more than 60 days apart; and

WHEREAS, pursuant to O.C.G.A. § 36-35-4, the governing authority of a municipal corporation is authorized to take action to increase the compensation of the members of the governing authority provided that: any such increase shall not be effective until after the taking of office of those elected at the next regular municipal election which is held immediately following the date on which the action to increase the compensation was taken, such action shall not be taken during the period of time beginning with the date that candidates for election to membership on the municipal governing authority may first qualify as such candidates and ending with the date members of the municipal governing authority take office following their election; and such action shall not be taken until notice of intent to take the action has been published in a newspaper of general circulation designated as the legal organ in the county and in the municipal corporation at least once a week for three consecutive weeks immediately preceding the week during which the action is taken.

WHEREAS, the City of Flowery Branch adopted this amendment by an ordinance duly adopted at two regular consecutive meetings of the municipal governing authority;

NOW THEREFORE, the City Council of the City of Flowery Branch hereby ordains to amend the city charter as follows:

SECTION ONE

By revising subsection (2) of Section 2.7 (a) to read as follows:

(2) For attending each meeting officially representing the Flowery Branch City Council (except for meetings of the Flowery Branch City Council), the Mayor and each Councilmember shall receive as additional compensation ~~\$50.00~~ \$100.00 per diem, payable monthly, not to exceed ~~five (5)~~ eight (8) meetings per month.

SECTION TWO

The amendments to the Charter described herein shall become effective upon the taking of office of those elected at the next regular municipal election which is held immediately following approval of this ordinance and upon a copy of the amendment, the required notice of publication, and an affidavit of a duly authorized representative of the newspaper in which the notice was published, being filed with the Secretary of State and in the office of the Clerk of the Superior Court of Hall County as required by O.C.G.A. § 36-35-5. The City Clerk is hereby authorized to make such filings.

Adopted this ____ day of _____, 2025.

Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted C. Baggett, City Attorney

**STATE OF GEORGIA
CITY OF FLOWERY BRANCH**

ORDINANCE NO. 736

**AN ORDINANCE TO AMEND THE CHARTER OF THE
CITY OF FLOWERY BRANCH**

AN ORDINANCE AMENDING THE CITY CHARTER OF THE CITY OF FLOWERY BRANCH, GEORGIA TO INCREASE THE AMOUNT OF PER DIEM FOR MEETING ATTENDANCE BY THE MAYOR AND COUNCILMEMBERS, PROVIDING FOR AN EFFECTIVE DATE, AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS, changes to the City Charter may be made by the Mayor and City Council under the Home Rule Powers of a municipality as set forth in Chapter 35 of Title 36 of the O.C.G.A.; and

WHEREAS, in accordance with O.C.G.A. § 36-35-6(b)(1), a notice containing a synopsis of the proposed amendment was published in the official organ of the county or in a newspaper of general circulation in the municipal corporation once a week for three weeks within a period of 60 days immediately preceding its final adoption; and

WHEREAS, municipal charters may be amended by ordinances duly adopted at two regular consecutive meetings of the municipal governing authority, not less than seven nor more than 60 days apart; and

WHEREAS, pursuant to O.C.G.A. § 36-35-4, the governing authority of a municipal corporation is authorized to take action to increase the compensation of the members of the governing authority provided that: any such increase shall not be effective until after the taking of office of those elected at the next regular municipal election which is held immediately following the date on which the action to increase the compensation was taken, such action shall not be taken during the period of time beginning with the date that candidates for election to membership on the municipal governing authority may first qualify as such candidates and ending with the date members of the municipal governing authority take office following their election; and such action shall not be taken until notice of intent to take the action has been published in a newspaper of general circulation designated as the legal organ in the county and in the municipal corporation at least once a week for three consecutive weeks immediately preceding the week during which the action is taken.

WHEREAS, the City of Flowery Branch adopted this amendment by an ordinance duly adopted at two regular consecutive meetings of the municipal governing authority;

NOW THEREFORE, the City Council of the City of Flowery Branch hereby ordains to amend the city charter as follows:

SECTION ONE

By revising subsection (2) of Section 2.7 (a) to read as follows:

(2) For attending each meeting officially representing the Flowery Branch City Council (except for meetings of the Flowery Branch City Council), the Mayor and each Councilmember shall receive as additional compensation \$100.00 per diem, payable monthly, not to exceed eight (8) meetings per month.

SECTION TWO

The amendments to the Charter described herein shall become effective upon the taking of office of those elected at the next regular municipal election which is held immediately following approval of this ordinance and upon a copy of the amendment, the required notice of publication, and an affidavit of a duly authorized representative of the newspaper in which the notice was published, being filed with the Secretary of State and in the office of the Clerk of the Superior Court of Hall County as required by O.C.G.A. § 36-35-5. The City Clerk is hereby authorized to make such filings.

Adopted this ____ day of _____, 2025.

Edward R. Asbridge, Mayor

Shelia R. Cooper, City Clerk

APPROVED AS TO FORM:

Ted C. Baggett, City Attorney



FLOWERY BRANCH CITY COUNCIL



EXECUTIVE SUMMARY

SUBJECT: Consider Approval of the Tyler Enterprise Permitting and Licensing Proposal

COUNCIL MEETING DATE: March 20, 2025

HISTORY:

FACTS AND ISSUES:

OPTIONS:

IF FUNDING IS INVOLVED, ARE FUNDS APPROVED IN THE CURRENT BUDGET:

Yes

AMOUNT AND SOURCE OF FUNDS:

\$153,921 - General Fund

RECOMMENDATION:

Approval of Proposal for the Tyler Enterprise Permitting and Licensing Software

SAMPLE MOTION:

I make a motion to approve the Contract for the Tyler Enterprise Permitting and Licensing Software.

COLLABORATING DEPARTMENT:

Finance

DEPARTMENT: Planning

Prepared by: Shelia Cooper

ATTACHMENTS

- [Executive Tyler Government Software for 3-20-2025.pdf](#)
- [Tyler Enterprise Permitting and Licensing Amendment Proposal Summary 31225.pdf](#)



Memorandum

To: City of Flowery Branch, Mayor, and City Council

From: Chris McCrary, Planning and Community Development Director

Date: March 20, 2025

Subject: Executive Summary Tyler Enterprise Software

Tyler Enterprise Software offers Flowery Branch a centralized platform that automates, connects, and streamlines essential government processes. The system supports critical operations including planning, permitting, licensing, building and land development inspections, and code enforcement, while ensuring seamless fee management across departments.

The platform enhances overall efficiency and communication, promoting productivity and robust interdepartmental collaboration. Its dedicated mobile application extends these benefits to field operations, empowering employees to work more proficiently. In addition, the comprehensive online portal provides the public with a user-friendly way to submit permit applications, plans, and online payments, offering anytime, anywhere, access to services.

Committed to a fully digital workflow, the Planning and Community Development team is transitioning to an end-to-end electronic submission, review, and approval process—eliminating paper applications entirely. This digital transformation is further supported by partnerships with external agencies such as Hall County Fire and NRCS.

The licensing process for Tyler Enterprise Software will become much more efficient for both new licenses and renewals. The system will enable the generation of more reliable reports, benefiting the finance department by improving auditing capabilities. Additionally, receiving payments and deposits will be a smoother and more seamless process.

Moreover, Tyler Enterprise Software equips staff with advanced reporting tools that generate specialized insights into city growth and development. The integration of Esri's GIS component allows for detailed mapping and geo-location of development trends, providing a powerful analytical edge for planning and decision-making.

The fee proposal a one-time fee of \$110,575.00 and a recurring fee of \$43,346.00 per the proposal provided by Tyler Technologies. The proposal is attached for detailed review of software and services.



In addition to the Planning software, the city administration has been looking at alternative payment plat forms. Through the review of the Planning software, we became aware of a payment platform that our current financial software provides. By moving to this new platform, it will streamline payments and consolidate payments associated with utility billing, tax payments, and associated planning payments. This will increase efficiencies in the planning and finance departments. In addition to these efficiencies, it will add alternative forms of payments, such as echecks with a flat fee of \$1.95.



Quoted By:
 Quote Expiration:
 Quote Name:

Garth Magness
 8/26/25
 Enterprise Permitting & Licensing Suite

Sales Quotation For:

City of Flowery Branch
 5410 Pine St
 Flowery Branch GA 30542
 Phone: +1 (770) 967-6371

Tyler SaaS

Description	Term	Monthly Fee	Users/Units	Annual Fee
Enterprise Permitting & Licensing Core Software				
Enterprise Permitting & Licensing User		\$ 201	5	\$ 12,085
Enterprise Permitting & Licensing Foundation		\$ 701	1	\$ 8,407
Business Management Suite		\$ 525	1	\$ 6,305
Community Development Suite		\$ 525	1	\$ 6,305
Enterprise Permitting & Licensing Extensions				
eReviews		\$ 701	1	\$ 8,407
Decision Engine		\$ 438	1	\$ 5,254
Enterprise Service Requests		\$ 100	1	\$ 1,202
Sub-Total:				\$ 47,965
<u>Less Discount</u>				<u>\$ 4,799</u>
TOTAL		1.00		\$ 43,166

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Professional Services

Description	Quantity	Unit Price	Extended Price	Maintenance
Professional Services				
Data Conversion Services	80	\$ 145	\$ 11,600	\$ 0
End User Training	40	\$ 145	\$ 5,800	\$ 0
Professional Implementation Services	130	\$ 145	\$ 18,850	\$ 0
Professional Implementation Services - Contingency Hours	130	\$ 145	\$ 18,850	\$ 0
Project Manager Services	80	\$ 145	\$ 11,600	\$ 0
TOTAL:			\$ 66,700	\$ 0

Payments

	Use Case	List Price	Service %	Min	Basis Points	Rate	Cap	POS	Online	IVR
Payments - Payer Card Cost - Service Fees										
Enterprise Permitting & Licensing										
Enterprise Permitting & Licensing Payments	Planning		3.95%	\$ 2.50				X	X	
Enterprise Permitting & Licensing Payments	Permits		3.95%	\$ 2.50				X	X	
Enterprise Permitting & Licensing Payments	Licenses		3.95%	\$ 2.50				X	X	
Payer eCheck Cost		\$ 1.95								
eCheck Rejects		\$ 5.00								
Credit Card Chargebacks		\$ 15.00								

Payer Card Cost

Per card transaction with Visa, MasterCard, Discover, and American Express.

Payer eCheck Cost
eCheck Rejects
Credit Card Chargebacks

Per electronic check transaction.
 When an eCheck Transaction comes back as declined (e.g bounced check)
 If a card payer disputes a transaction at the card issuing bank (e.g. stolen card)

Third-Party Hardware, Software and Services

Description	Qty	Unit Price	Unit Discount	Total Price	Unit Maint /SaaS	Unit Maint/SaaS Discount	Total Maint / SaaS
Third Party							
Payments PCI Service Fee (Per Device)	1	\$ 0	\$ 0	\$ 0	\$ 180	\$ 0	\$ 180
Hardware							
Payments Lane 7000 Terminal Purchase	1	\$ 529	\$ 0	\$ 529	\$ 0	\$ 0	\$ 0
TOTAL				\$ 529			\$ 180

Summary

	One Time Fees	Recurring Fees
Total SaaS		\$ 43,166
Total Services	\$ 66,700	\$ 0
Total Third-Party Hardware, Software, Services	\$ 529	\$ 180
Summary Total	\$ 67,229	\$ 43,346
Contract Total	\$ 110,575	
Estimated Travel Expenses	\$ 6,000	

Customer Approval: _____

Date: _____

Print Name: _____

P.O.#: _____

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms:

- License fees for Tyler and third party software are invoiced upon the earlier of (i) delivery of the license key or (ii) when Tyler makes such software available for download by the Client;
- Fees for hardware are invoiced upon delivery;
- Fees for year one of hardware maintenance are invoiced upon delivery of the hardware;
- Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software available for download by the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the Agreement, with renewals invoiced annually thereafter in accord with the Agreement.
- Fees for services included in this sales quotation shall be invoiced as indicated below.
 - Implementation and other professional services fees shall be invoiced as delivered.
- Expenses associated with onsite services are invoiced as incurred. according to Tyler's standard business travel policy.

The initial term of this Agreement is one (1) year, commencing on the first day of the first month following the Effective Date, unless earlier terminated. Upon expiration of the initial term, subsequent SaaS Fees for the first two (2) annual renewals will not increase and will be at the rates set forth in the Investment Summary.

Comments

SaaS Monthly Fees are rounded to the nearest dollar. The Annual Fee value represents the cost to the customer.

Enterprise Permitting & Licensing Foundation includes GIS for EPL Users, Core Foundation Bundle, Advanced Automation Bundle, Data & Reporting Access, Report Toolkit, EPL API Toolkit and 1 TB of Storage

Business Management Suite includes Civic Access for Business Management and Business Management Executive Insights

Community Development Suite includes Civic Access for Community Development and Community Development Executive Insights

Enterprise Permitting & Licensing User includes back-office and Workforce Mobile access

eReviews enables electronic review and markup of submitted plans and other documentation by client personnel. eReviews requires Bluebeam Studio Prime, at an estimated yearly subscription cost of \$3,000/100 users. eReviews also requires Bluebeam Revu licenses for agency staff that is involved in the review, markup, and management of electronic plans. Bluebeam Revu licenses are approximately \$300 per user per year. Bluebeam Studio Revu and Bluebeam Prime are to be purchased separately by the client.

Enterprise Service Requests is an application for citizens to report code complaints. Tyler resources will configure, train client personnel, and support go-live for 311 functionality utilized by Enterprise Permitting & Licensing.

Fees for year one of hardware maintenance will be invoiced as of the first day of the calendar month following the date the hardware is delivered and may be prorated to end coterminous with the Annual Support Maintenance term. Subsequent annual hardware maintenance fees shall be invoiced together with the Annual Support Maintenance term in accordance with the terms of the Agreement.

Your use of Payments and any related items included on this order is subject to the terms found at: <https://www.tylertech.com/terms/payment-card-processing-agreement>. By signing this order or the agreement in which it is included, you agree you have read, understand, and agree to such terms. Please see attached Payments fee schedule.

Standard Notes

Project Delays and Change Control: Any delays in the client's completion, review, or acceptance of deliverables that extend the project timeline will be subject to the change control process. This may result in additional costs, including, but not limited to, extra service hours for project management, consulting, and conversion development.

Cancellation Policy: If the client cancels services with less than two (2) weeks' notice, the client will be liable to Tyler for (i) all non-refundable expenses incurred on the client's behalf and (ii) daily fees for the canceled services if Tyler is unable to reassign its personnel.

Implementation Service Hours: Implementation service hours are scheduled and provided in increments of four (4) or eight (8) hours. The implementation service hours assume a 75% remote and 25% onsite split but can vary per project. The hours do not include travel expenses.

Public Administration Security Console (PASC): PASC is a tool that allows Support staff to access client environments using specified Tyler-owned accounts with rolling passwords.

Client Responsibility for GIS Services: The client is responsible for providing and maintaining the GIS services required by Enterprise Permitting & Licensing in compliance with Tyler's GIS deployment guidelines.

Civic Access serves as the client's online portal for citizens. Tyler will ensure the portal is operational and integrated with GIS, configure the payment portal (if applicable), and provide training for Civic Access configuration. The client configures online applications and other components not specified above.

Hub is a platform that allows clients to customize individual user dashboards for tasks and data visualization. Tyler will connect the EPL data source to Hub and provide training for user dashboard personalization. The client is responsible for personalizing and maintaining user dashboards. Any additional data source connections to Hub will be subject to the change control process and may incur additional costs.

Implementation Notes

Enterprise Permitting & Licensing (EPL) Implementation: Tyler will utilize the EnerGov (EPL) database provided by the client to load into the Enterprise and Permitting System. Flowery Branch was a previous customer and still maintains the DB. No changes will be made to the legacy data. Process types will be reviewed and finalized during the Assess & Define stage to ensure optimal system configuration. Any additional processes or updates beyond the initial scope will be accounted for within the implementation hours and may require a change order if they exceed the allocated time.

Integration Notes

Enterprise Permitting & Licensing (EPL) API Implementation & Support: Tyler's services for EPL API implementation are limited to delivering the API and providing guidance to the client's integration development team. Tyler does not offer integration development services for EPL API/SDK toolkits. The client, or a chosen third-party integrator, will be responsible for all development work related to the API/SDK.

Enterprise Service Requests (ESR): ESR is an application that allows citizens to report public works requests or code complaints. Tyler will configure and train client personnel and support the go-live for ESR functionality used by EPL. The client is responsible for providing and maintaining the GIS services required by ESR.

Integration with Executive Insights: Tyler will establish the connection and verify the data exchange between Executive Insights and EPL.

Conversion and Reports Notes

Full Conversion: The Client will provide Tyler with up to [1] legacy data sources [lworqs] containing data related to Permitting, Planning, Inspection, and Code Enforcement from the legacy system. The Client is responsible for extracting the data from their legacy system(s) and delivering it to Tyler in an acceptable format. Tyler will not manipulate or correct the legacy data on behalf of the Client; the Client must resolve any data quality issues before submission. Tyler will populate the Data Conversion Template database (DCT-DB) with the legacy data for conversion into EPL. Tyler will use the completed DCT-DB to produce a mapping document to enable the Client to correlate legacy data fields with EPL fields. The Client is responsible for all data mapping decisions and document completion. The DCT-DB and mapping document provided by the client will translate the legacy data into the EPL software, constituting a "conversion pass."

The scope of this implementation includes four (4) conversion passes: two (2) evaluation passes, one (1) simulated go-live pass, and one (1) final go-live pass.

No custom reports, forms, or letters are included in this implementation.

Training Notes

Each 40-hour training engagement includes four (4) full days (8 hours per day) of direct instruction and up to 8 hours of preparatory and administrative time. This preparatory time allows trainers to understand client needs, develop schedules, set up software environments, and complete necessary documentation.

The following training engagements are included in the scope of this implementation:

Solutions Orientation Training: To assist new clients with the tools necessary for a successful Enterprise Permitting & Licensing software implementation, we are pleased to offer an introductory training course built for the needs of each of our clients. This training is designed to achieve the following objectives:

- Learn general terminology
- Experience the basic functionality of the software

- Encourage client-side discussions
- Discover some of the software capabilities available for consideration
- Improve communication between Tyler and the client through software knowledge
- Prepare the client for the Assess & Define process through exposure to the functionality of the software

Solution Validation: A critical part of the implementation process. It allows municipality employees to log in to Enterprise Permitting & Licensing and verify that the configuration is correct. During the training, students learn about end-user functionality in each module to ensure they are comfortable with the subject matter before testing. Instructors teach students how to test, not about business processes. Users learn how to test the applications to get accurate results. The class is taught in the client's testing environment. The objectives are to ensure that each user:

- Experiences basic functionality of the suite
- Examines how to read the Solution Validation Training guides
- Understands how to test the applications

End User Training: End User Training is the last component of the Implementation process before going live. This training covers every module you will use and involves any staff/others utilizing the Enterprise Permitting and Licensing System. The trainer or consultant will teach the end-user functionality of the modules, as we want to ensure that all users are comfortable with the subject matter. During this training, we do not teach business processes; we require an SME (Subject Matter Expert) to be involved in every aspect of the training to ensure that business process questions are answered accurately. After End User Training, we suggest you continuously include continuous training for your staff/others on your business process.