



**City of Roswell
Meeting Agenda
Mayor and Council
Regular Meeting**

**Mayor Mary Robichaux
Councilmember Sarah Beeson
Councilmember Eren Brumley
Councilmember Christine Hall
Councilmember Jennifer Phillippi
Councilmember Allen Sells
Councilmember Chris Zack**

Monday, May 11, 2026

7:00 PM

City Hall - Council Chambers

Welcome

Roll Call

Invocation/Moment of Silence - Justin Ely, Lead Pastor, Christ Fellowship Church

Pledge of Allegiance

Mayor's Report

- 1. #10440 Presentation of the 27th Annual Roswell Remembers Memorial Day Celebration by the 2026 Roswell Memorial Day Committee and Roswell Rotary Club.**
- 2. #10450 Approval of a Memorandum of Understanding with the Georgia Department of Veterans Service, and the Georgia Veterans Service Foundation to collaborate on the planning, funding, and development of a new veteran's home to be located in the City of Roswell, Georgia at a location to be determined.**

Presented by Mary Robichaux, Mayor

Consent Agenda

- 1. #10436 Approval of the minutes of the April 27, 2026 Mayor and Council Meeting.**
- 2. #10399 Approval of a Retaining Wall over 6 feet for First Baptist Roswell Church (ZMCC-0326-000006).**

Presented by Jeannie Peyton, Planning and Zoning Director

3. **#10409 Approval to pursue a grant from the Federal Highway Administration (FHWA) from the Safe Streets and Roads for All (SS4A) program.**
Presented by Andy Phlegar, Director of Transportation
4. **#10427 Approval of a Resolution to submit a Local Road Assistance Administration (LRA) project list for FY 2026 to the Georgia Department of Transportation (GDOT) and to accept the GDOT LRA funds with a budget amendment in the amount of \$1,221,801.94.**
Presented by Andy Phlegar, Director of Transportation
5. **#10374 Approval for the Mayor or City Administrator to award a Task Order with Chatfield Contracting, Inc. for the Farm Trace Stormwater Construction Project in an amount not to exceed \$380,229.74.**
Presented by Brian Watson, Director of Environmental/Public Works
6. **#10375 Approval for the Mayor or City Administrator to award a Task Order with Utility Asset Management for the Holcomb Woods Parkway Stormwater Pipe Lining Project in an amount not to exceed \$88,405.**
Presented by Brian Watson, Director of Environmental/Public Works

Regular Agenda

1. **#10371 Approval of a text amendment to Articles 24.6, Adoption of Roswell Dredging Assistance Policy, Section 24.6.1 - Dredging Assistance Policy of the City of Roswell Code of Ordinances. (Second Reading)**
Presented by Brian Watson, Director of Environmental/Public Works
2. **#10397 Approval of a Conditional Use Permit for a Carriage House at 440 Houze Way (ZUSE-1225-000002).**
Presented by Jeannie Peyton, Planning and Zoning Director
3. **#10346 Approval of an Ordinance to amend the Unified Development Code (UDC) by modifying Article 9 Use Provisions, Section 9.7 Accessory Uses, Section 9.7.12 Horse Stable, Non-Commercial. (First Reading)**
Presented by Jeannie Peyton, Planning and Zoning Director
4. **#10347 Approval of an Ordinance to amend the Unified Development Code (UDC) by modifying Article 3, Residential Districts, Section 3.4.- Allowed Uses, Section 3.4.2. - Use Table. (First Reading)**
Presented by Jeannie Peyton, Planning and Zoning Director

5. **#10243 Approval of an Ordinance to amend the Unified Development Code (UDC) by modifying Article 9, Use Provisions, Section 9.6. - Industrial Uses, Section 9.6.6. - Warehouse and Distribution and Article 6, Employment Districts, Section 6.5. - Allowed Uses, Section 6.5.2. - Use Table. (First Reading)**
Presented by Jeannie Peyton, Planning and Zoning Director
6. **#10281 Approval of an Ordinance to amend the Unified Development Code (UDC), by modifying Article 2, Rules of Interpretation, Section 2.2. - Rules Applicable to all Districts, Section 2.2.20. - Residential Parking Location. (First Reading)**
Presented by Jeannie Peyton, Planning and Zoning Director
7. **#10282 Approval of an Ordinance to amend the Unified Development Code (UDC) by modifying Article 10 Site Development, Sec. 10.1. - Parking, Section 10.1.14. - Parking Lot Layout and Design. (First Reading)**
Presented by Jeannie Peyton, Planning and Zoning Director
8. **#10288 Approval of an Ordinance to amend the Code of Ordinances by modifying Chapter 24 Utilities and Services, Article 24.3 Collection of Commercial Waste, Section 24.3.6 Special Requirements. (First Reading)**
Presented by Jeannie Peyton, Planning and Zoning Director
9. **#10341 Approval of an Ordinance to amend the Code of Ordinances by modifying Chapter 22 Traffic and Motor Vehicles, Article 22.4 Motor Vehicles--Operation and Maintenance, Section 22.4.3 Inoperable Motor Vehicle. (First Reading)**
Presented by Jeannie Peyton, Planning and Zoning Director

City Attorney's Report

10. **#10441 Approval of a Resolution authorizing the execution of the Legal Services Agreement related to AFFF/PFAS Litigation Services.**
Presented by Joseph Cusack, Assistant City Attorney
11. **#10438 Recommendation to go into Closure following the Committee meeting on Tuesday, May 26, 2026, to Discuss Personnel, Litigation and/or Real Estate.**

Adjournment

PUBLIC COMMENT PROTOCOL:

- To address Mayor and Council on an Agenda Item, complete a Comment Card and submit to the City Clerk.
- Comments by individual speakers are limited to five minutes per item. (*Exemptions to the time limit are zoning applicants, appeals, and semi-judicial matters before Mayor and Council.*) Comments should only be made on the agenda item under consideration.
- Documents, pictures or presentation materials for distribution to the Mayor and Council must be submitted to the City Clerk by noon on Monday prior to the meeting. Email to citizendocuments@roswellgov.com or drop off at City Hall.

RULES OF DECORUM FOR ALL MEETINGS (City of Roswell Code of Ordinances Section 2.1.6):

The City of Roswell strives to provide a positive experience for those visiting city facilities and promotes an environment of personal safety and security – free from intimidation, threats or violent acts. All are expected to exhibit common courtesy, civility, and respect for others. Members of the audience will respect the rights of others and will not create noise or other disturbances that disrupt or disturb persons who are addressing the Mayor & Council who are speaking or otherwise impede the orderly conduct of the meeting. Violations may result in the violator being removed from the premises.



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10440

MEETING DATE: May 11, 2026
DEPARTMENT: Mayor's Report
ITEM TYPE: Presentation - Mayor's Report

Presentation of the 27th Annual Roswell Remembers Memorial Day Celebration by the 2026 Roswell Memorial Day Committee and Roswell Rotary Club.

Item Summary:

The Roswell Rotary Club, on behalf of the Roswell Memorial Day Committee, will give a presentation regarding the 27th Annual Roswell Remembers Memorial Day Celebration, which will be held on Monday, May 25, 2026, on the grounds of City Hall.

Presented by:

David Young, Roswell Rotary Club



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10450

MEETING DATE: May 11, 2026

DEPARTMENT: Mayor's Report

ITEM TYPE: Memorandum of Agreement

Approval of a Memorandum of Understanding with the Georgia Department of Veterans Service, and the Georgia Veterans Service Foundation to collaborate on the planning, funding, and development of a new veteran's home to be located in the City of Roswell, Georgia at a location to be determined.

Item Summary:

This is a Memorandum of Understanding with the Georgia Department of Veterans Service and the Georgia Veterans Service Foundation to collaborate on the planning, funding, and development of a new veteran's home to be located in Roswell at a location to be determined.

Committee or Staff Recommendation:

N/A

Financial Impact:

N/A

Recommended Motion:

Motion to approve a Memorandum of Understanding with the Georgia Department of Veterans Service, and the Georgia Veterans Service Foundation to collaborate on the planning, funding, and development of a new veteran's home to be located in the City of Roswell, Georgia at a location to be determined.

Presented by:

Mary Robichaux, Mayor

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF
ROSWELL, GEORGIA, THE GEORGIA DEPARTMENT OF VETERANS
SERVICE, AND THE GEORGIA VETERANS SERVICE FOUNDATION**

1. PURPOSE

This Memorandum of Understanding (“MOU”) establishes a collaborative framework among the parties to support the planning, funding, and development of a new State Veterans Home to be located in Roswell, Georgia (“Roswell Veterans Home” or the “Project”).

The primary objective of this MOU is to facilitate voluntary philanthropic contributions through the Georgia Veterans Service Foundation (“Foundation”); ensure such contributions may be designated for the Roswell Veterans Home project; support the State of Georgia in securing the required state matching funds for a grant under the U.S. Department of Veterans Affairs State Veterans Home Construction Grant Program; and maintain legal, fiscal, and operational integrity of all entities, ensuring compliance with applicable state and federal laws.

2. AUTHORITY

This MOU is entered into pursuant to applicable provisions of Georgia law governing intergovernmental cooperation and nonprofit operations; federal requirements under 38 U.S.C. §§ 8131–8137 and 38 C.F.R. Part 59 governing State Veterans Home construction grants; and each party’s respective statutory authority and organizational mission.

3. ROLES AND RESPONSIBILITIES

A. City of Roswell

The City agrees to support identification and provision of suitable land for the Roswell Veterans Home subject to applicable approvals; assist with local planning, zoning, infrastructure, and community engagement; participate in coordinated efforts to promote the project and encourage community support; and collaborate with state and nonprofit partners to advance project readiness in alignment with VA grant timelines.

B. Georgia Department of Veterans Service (GDVS)

GDVS agrees to serve as the lead state agency for the planning, application, and execution of the State Veterans Home project; prepare and submit the VA grant application and ensure compliance with all federal requirements; maintain full authority

and responsibility over project design, construction, licensure, and operation; ensure that all funding sources, including philanthropic contributions, are used in accordance with state appropriations law, federal grant requirements, and applicable audit and accountability standards; and coordinate with the Foundation regarding project needs, funding priorities, and timelines.

C. Georgia Veterans Service Foundation

The Foundation agrees to serve as the philanthropic partner to receive and manage voluntary contributions supporting GDVS priorities; establish a restricted, board-approved designated fund specifically for the Roswell Veterans Home project; ensure that all contributions are voluntary charitable donations, that donors may designate funds for the Roswell Veterans Home subject to Foundation policies, and that funds are used exclusively for the designated purpose consistent with donor intent and Foundation governance; maintain independent fiduciary control over all donated funds, including acceptance, investment if applicable, and disbursement in accordance with Foundation policies and applicable law; disburse funds to support the project only upon formal request and documentation from GDVS and in a manner consistent with federal and state requirements; and ensure compliance with all applicable laws governing nonprofit organizations, including IRS regulations for 501(c)(3) entities.

4. FUNDING STRUCTURE AND LEGAL CLARIFICATION

Contributions received by the Foundation shall be treated as charitable donations, not state funds, and shall not be construed as creating any ownership interest, contractual right, or preferential treatment for donors.

This MOU does not create a pass-through funding mechanism. The Foundation retains independent control and discretion consistent with donor intent and its governing bylaws; GDVS retains exclusive authority over the State Veterans Home project; and no party acts as an agent of another for purposes of fundraising or fund distribution.

All funds intended to support the VA grant match must be properly documented and auditable, meet federal eligibility criteria for state matching funds, and be transferred or applied in a manner consistent with VA guidance.

Any funds contributed by any contributor for the Project will be solely utilized towards the Project. If the minimum funding threshold of \$35,000,000.00 is not met, all funds contributed to the Project will be refunded to the contributor. Any funds contributed to the Project will be handled and kept in accordance with all applicable laws, regulations, and accounting practices regarding charitable contributions.

5. GOVERNANCE AND COORDINATION

The parties agree to maintain regular coordination, including project status updates, funding progress, and alignment with VA grant cycles and deadlines.

Nothing in this MOU limits the statutory authority of GDVS, obligates the State of Georgia to expend funds not appropriated by the Georgia General Assembly, or creates a joint venture or legal partnership.

6. TERM AND TERMINATION

This MOU shall become effective upon execution by all parties and remain in effect for five (5) years, or until completion of the project, whichever occurs first.

Any party may terminate this MOU upon 60 days written notice to the other parties. Termination shall not affect previously accepted donations or existing legal or financial obligations.

7. LIABILITY AND INDEMNIFICATION

Each party shall be responsible for its own acts and omissions. Nothing in this MOU shall be construed as a waiver of sovereign immunity or any legal defenses available under Georgia law.

8. AMENDMENTS

This MOU may be amended only by written agreement signed by all parties.

9. SIGNATURES

City of Roswell, Georgia

By: _____
Name:
Title:
Date:

Georgia Department of Veterans Service

By: _____
Name:
Title:
Date:

Georgia Veterans Service Foundation

By: _____
Name:
Title:
Date:

**City of Roswell****Mayor and Council****AGENDA ITEM REPORT****ID # - 10436**

MEETING DATE: May 11, 2026**DEPARTMENT: Administration****ITEM TYPE: Approval**

Approval of the minutes of the April 27, 2026 Mayor and Council Meeting.**Item Summary:**

Approval of the minutes of the April 27, 2026 Mayor and Council Meeting.



**City of Roswell
Meeting Minutes
Mayor and Council
Regular Meeting**

**Mayor Mary Robichaux
Councilmember Sarah Beeson
Councilmember Eren Brumley
Councilmember Christine Hall
Councilmember Jennifer Phillippi
Councilmember Allen Sells
Councilmember Chris Zack**

Monday, April 27, 2026

7:00 PM

City Hall - Council Chambers

Welcome

Mayor Mary Robichaux: Present, Councilmember Sarah Beeson: Present, Councilmember Eren Brumley: Present, Councilmember Christine Hall: Present, Councilmember Jennifer Phillippi: Present, Councilmember Allen Sells: Present, Councilmember Chris Zack: Present.

Invocation/Moment of Silence - Dorie Griggs, Roswell Fire Department Chaplain

Pledge of Allegiance - United States Army Specialist Maiyah Goolsby

Mayor's Report

1. **#10321 Reading of a Proclamation for the Esteemed Veteran of Roswell Award to United States Army Specialist Maiyah Goolsby.**

This Proclamation is in honor of United States Army Specialist Maiyah Goolsby for her service to this Nation, to fellow service members and to the community of Roswell.

RESULT: PROCLAMATION READ

2. **#10424 Approval to name the new connector road north of the Green Street Parking Deck as Kevin Cash Memorial Drive in honor of Firefighter Kevin Cash.**

The new connector road north of the Green Street Parking Deck was named Kevin Cash Memorial Drive in honor of Roswell Firefighter Kevin Cash, who died in the line of duty on January 21, 2020.

**RESULT: APPROVED [UNANIMOUS]
MOVER: Christine Hall, Councilmember
SECONDER: Sarah Beeson, Councilmember
IN FAVOR: Beeson, Brumley, Hall, Phillippi, Sells, Zack**

Attachment: Minutes_M&C_042726 - DRAFT unapproved (M&C Minutes - 4/27/26)

Consent Agenda

RESULT:	CONSENT AGENDA APPROVED [UNANIMOUS]
MOVER:	Chris Zack, Councilmember
SECONDER:	Jennifer Phillippi, Councilmember
IN FAVOR:	Beeson, Brumley, Hall, Phillippi, Sells, Zack

1. **#10422 Approval of the minutes of the April 13, 2026 Regular Mayor and Council meeting.**
2. **#10320 Approval for the Mayor or City Administrator to sign a renewal contract with Arthur J. Gallagher Risk Management Services, LLC for property, casualty, and management liability insurance in the amount of \$1,339,397.**
3. **#10357 Approval of Budget Amendment 21335101-04-27-26 in the amount of \$36,225 for the configuration of Emergency Medical Services (EMS) response bags and the purchase of Life Pack 1000 Automated External Defibrillator (AEDs) with Naloxone.**
4. **#10396 Approval of ZMC-0226-000003, a retaining wall over 6 feet for Fellowship Christian School.**
5. **#10382 Approval of a resolution to update Sanitation/Solid Waste Fees to include a "House/Garage Door" service fee for residents.**
Resolution No. 2026-04-07

Regular Agenda

1. **#10403 Approval of an Inmate Housing Agreement between Cherokee County and the City of Roswell.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Christine Hall, Councilmember
SECONDER:	Sarah Beeson, Councilmember
IN FAVOR:	Beeson, Brumley, Hall, Phillippi, Sells, Zack

2. **#10371 Approval of a text amendment to Articles 24.6, Adoption of Roswell Dredging Assistance Policy, Section 24.6.1 - Dredging Assistance Policy of the City of Roswell Code of Ordinances (First Reading).**

RESULT:	APPROVED FIRST READING [UNANIMOUS] Next: 5/11/2026 7:00 PM
MOVER:	Allen Sells, Councilmember
SECONDER:	Chris Zack, Councilmember
IN FAVOR:	Beeson, Brumley, Hall, Phillippi, Sells, Zack

3. **#10393 Approval of Scope of Work (SOW) #2 with the Downtown Development Authority (DDA) regarding the former Independence High School.**

RESULT: APPROVED [5 TO 1]
MOVER: Jennifer Phillippi, Councilmember
SECONDER: Sarah Beeson, Councilmember
IN FAVOR: Beeson, Brumley, Hall, Phillippi, Sells
OPPOSED: Chris Zack

4. **#10402 Approval of a parking services contract with 12 Oaks Parking LLC in substantial conformance with the attached contract.**

RESULT: APPROVED [3 TO 1]
MOVER: Sarah Beeson, Councilmember
SECONDER: Eren Brumley, Councilmember
IN FAVOR: Sarah Beeson, Eren Brumley, Jennifer Phillippi
OPPOSED: Chris Zack
ABSTAIN: Christine Hall, Allen Sells

City Attorney's Report

5. **#10425 Approval of a Resolution of the Mayor and City Council of the City of Roswell, Georgia for the purpose of approving the exercise of eminent domain to acquire certain property situated in the City of Roswell, Fulton County, Georgia, for use for the transportation project known as Big Creek Parkway; and for the execution of any additional documents necessary relating to said use of eminent domain.**

Resolution No. 2026-04-06

RESULT: APPROVED [5 TO 1]
MOVER: Allen Sells, Councilmember
SECONDER: Eren Brumley, Councilmember
IN FAVOR: Beeson, Brumley, Hall, Phillippi, Sells
OPPOSED: Chris Zack

6. **#10426 Approval of a Waiver of Sidewalk Requirement for the dirt road at Lackey Road.**

RESULT: APPROVED [UNANIMOUS]
MOVER: Chris Zack, Councilmember
SECONDER: Eren Brumley, Councilmember
IN FAVOR: Beeson, Brumley, Hall, Phillippi, Sells, Zack

7. **#10423 Recommendation to go into Closure at 5:30 PM on Monday, May 11, 2026 to Discuss Personnel, Litigation and/or Real Estate.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Eren Brumley, Councilmember
SECONDER:	Jennifer Phillippi, Councilmember
IN FAVOR:	Beeson, Brumley, Hall, Phillippi, Sells, Zack

Adjournment

The meeting was adjourned at 8:25 PM

DRAFT

Attachment: Minutes_M&C_042726 - DRAFT unapproved (M&C Minutes - 4/27/26)



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10399

MEETING DATE: May 11, 2026

DEPARTMENT: Community Development

ITEM TYPE: Approval

Approval of a Retaining Wall over 6 feet for First Baptist Roswell Church (ZMCC-0326-000006).

Item Summary:

The applicant, First Baptist Roswell Church is requesting approval for a concrete retaining wall with a maximum height of 12 feet as part of pipe replacement project. This cast in place retaining wall will serve as a headwall for a stormwater drainage pipe.

Committee or Staff Recommendation:

The Community Development Department recommends approval.

On April 28, 2026 the Committees of Council recommended placing this Item on the May 11, 2026 Mayor and Council Agenda.

Financial Impact:

N/A

Recommended Motion:

Motion to approve a Retaining Wall over 6 feet for First Baptist Roswell Church at 710 Mimosa Blvd. (ZMCC-0326-000006).

Presented by:

Jeannie Peyton, Planning and Zoning Director



Memo

To: Mayor and City Council

From: Jeannie Peyton, Planning & Zoning Director

Date: April 23, 2026

Subject: Retaining Wall at First Baptist Roswell
ZMCC-0326-000006
 710 Mimosa Blvd

Enclosed, please find the plans for the application for a retaining wall over six (6) feet. All proposed retaining walls equal to or greater than 6 feet in height require review and approval by the Mayor and City Council.

As part of their planned pipe replacement project, First Baptist Church of Roswell is constructing a cast-in-place concrete headwall at the bottom of the sloped area behind the church. A headwall meets the definition of a “retaining wall” therefore, this project meets the criteria to be subject to Mayor and Council review and approval. At its highest point, the wall is approximately 12 feet in height and tapers to 2 feet on each end. The total length of the U-shaped wall is approximately 62.4 feet.

The wall is not visible from the public right-of-way. However, it is visible from the City owned property, Mimosa Hall.

If the wall is approved by Mayor and Council, the appearance of the wall will warrant approval through the administrative HPC process, which requires the wall to have a brick or stone “look” material.

The Community Development Department recommends approval of the retaining wall request.

38 Hill Street, Roswell, GA 30075
www.roswellgov.com



Aerial View



Approximate location of headwall

38 Hill Street, Roswell, GA 30075
www.roswellgov.com

Attachment: ZMCC-0326-000006 Memo-First Baptist Church Retaining Wall (First Baptist Roswell Church Retaining Wall)



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10409

MEETING DATE: May 11, 2026

DEPARTMENT: Transportation

ITEM TYPE: Grant

Approval to pursue a grant from the Federal Highway Administration (FHWA) from the Safe Streets and Roads for All (SS4A) program.

Item Summary:

In late 2023 the City of Roswell was awarded a \$200,000 Safe Streets and Roads for All (SS4A) Grant from the U.S. Department of Transportation (USDOT) to complete a Citywide Safety Action Plan. Following approval of the Safety Action Plan, the City may apply for a SS4A Implementation grant to fund projects and strategies identified in the Safety Action Plan to address roadway safety issues.

Implementation grants range from \$2,500,000 to \$25,000,000 and require a 20% locally funded match. The city would need to provide \$500,000 to \$5,000,000 in the FY2027 budget for the local match.

Staff recommends pursuing an implementation grant to fund a traffic calming treatment on Mimosa Boulevard and install multi-use trails on Mimosa Boulevard and Warsaw Road. These were two of the three highest scoring roadways in the Citywide Safety Action Plan.

Committee or Staff Recommendation:

On April 28, 2026 the Committees of Council recommended placing this Item on the May 11, 2026 Mayor and Council Agenda.

Financial Impact:

This item requires a 20% local match, budget will be requested in FY 2027.

Recommended Motion:

Motion to approve pursuing a grant from the Federal Highway Administration (FHWA) from the Safe Streets and Roads for All (SS4A) program.

Presented by:

Andy Phlegar, P.E., Director of Transportation



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10427

MEETING DATE: May 11, 2026

DEPARTMENT: Transportation

ITEM TYPE: Resolution

Approval of a Resolution to submit a Local Road Assistance Administration (LRA) project list for FY 2026 to the Georgia Department of Transportation (GDOT) and to accept the GDOT LRA funds with a budget amendment in the amount of \$1,221,801.94.

Item Summary:

The Georgia Department of Transportation (GDOT) has announced that the Governor's office and state legislature included funds in the state's amended fiscal year 2026 budget for Local Road Assistance Administration (LRA). The City of Roswell formula amount for this grant is \$1,221,801.94 and will not require a local match.

LRA funds are available for projects in the same way as the Local Maintenance and Improvement Grant (LMIG) program and may be used for any transportation project that is typically eligible for the state motor fuel sales tax. City of Roswell received the FY 2026 LMIG funds for resurfacing roads. These LRA funds are in addition to the previously received LMIG funds.

Staff recommends the Mayor and Council authorize the Mayor to sign the LRA application to submit to GDOT. Staff also recommends these funds be used to pursue the resurfacing of additional streets and for additional work to be completed along Green St.

Committee or Staff Recommendation:

On April 28, 2026 the Committees of Council recommended placing this Item on the May 11, 2026 Mayor and Council Agenda.

Financial Impact:

Once the grant is accepted, the City will accept the state funds in the amount of \$1,221,801.94 from GDOT and a budget amendment will set up the revenues and expenses in Project 91034 (LRA Resurfacing SFY2026).

Recommended Motion:

Motion to approve a resolution to submit a Local Road Assistance Administration (LRA) project list for FY 2026 to the Georgia Department of Transportation (GDOT) and to accept the GDOT LRA funds with a budget amendment in the amount of \$1,221,801.94.

Presented by:

Andy Phlegar, P.E., Director of Transportation

STATE OF GEORGIA
COUNTY OF FULTON

May 11, 2026

**RESOLUTION TO SUBMIT A 2026 LOCAL ROAD ASSISTANCE
ADMINISTRATION GRANT (LRA) APPLICATION AND TO ACCEPT THE
LRA FUNDS IN THE AMOUNT OF \$1,221,801.94**

WHEREAS, at the regular meeting of the Mayor and Council of Roswell, Georgia, held on the 11th of May, 2026, a motion was made and duly seconded that the City of Roswell, Georgia agrees to submit a 2026 Local Road Assistance Administration Grant (LRA) application for consideration by the Georgia Department of Transportation (GDOT); and

WHEREAS, the City of Roswell is seeking State LRA funding for paving and bridge maintenance; and

WHEREAS, the City of Roswell will accept the funds of \$1,221,801.94 received from the GDOT once the application is accepted; and

WHEREAS, the City of Roswell Finance Department is authorized to do a budget amendment to accept the funds from GDOT once the application is accepted to receive funds; and

WHEREAS, the Roswell Transportation Department will be responsible for the implementation, management, reporting and close-out of the grant project:

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Roswell that the Mayor of Roswell and/or the City Administrator are authorized to execute this grant application and any subsequent documents necessary to apply and accept for the grant funds, this the 11th day of May, 2026.

Mary Robichaux, Mayor

Attest:

Nancy Saviano Long, City Clerk

(Seal)

Attachment: Resolution to submit a 2026 LRA Application and accept LRA funds in amount of \$1,221,801.94 051126 (2026 GDOT LRA Grant



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10374

MEETING DATE: May 11, 2026

DEPARTMENT: Environmental/Public Works

ITEM TYPE: Task Order

Approval for the Mayor or City Administrator to award a Task Order with Chatfield Contracting, Inc. for the Farm Trace Stormwater Construction Project in an amount not to exceed \$380,229.74.

Item Summary:

The purpose of this project is to replace multiple sections of failed corrugated metal pipes (CMP), catch basins, junction boxes, and a headwall with reinforced concrete pipe (RCP). One pipe will be lined with cured in place pipe (CIPP) instead of full removal and replacement. The failing conveyance system is located within the roadway; however, the roadway will remain passable for residents during construction as this is a single-entry neighborhood.

The City of Roswell sent the scope of work to all stormwater pre-qualified contractors on March 27, 2026. The City received 3 bids which ranged from \$380,229.74 to \$461,290. The City chose the lowest bidder in the amount of \$380,229.74.

Staff recommends awarding the task order to Chatfield Contracting Inc in an amount of \$380,229.74 with a contingency of \$38,023 for unforeseen conditions, for a total budget authorization of \$418,253.

Committee or Staff Recommendation:

On April 28, 2026 the Public Safety and Public Works Committee recommended placing this Item on the May 11, 2026 Mayor and Council Agenda.

Financial Impact:

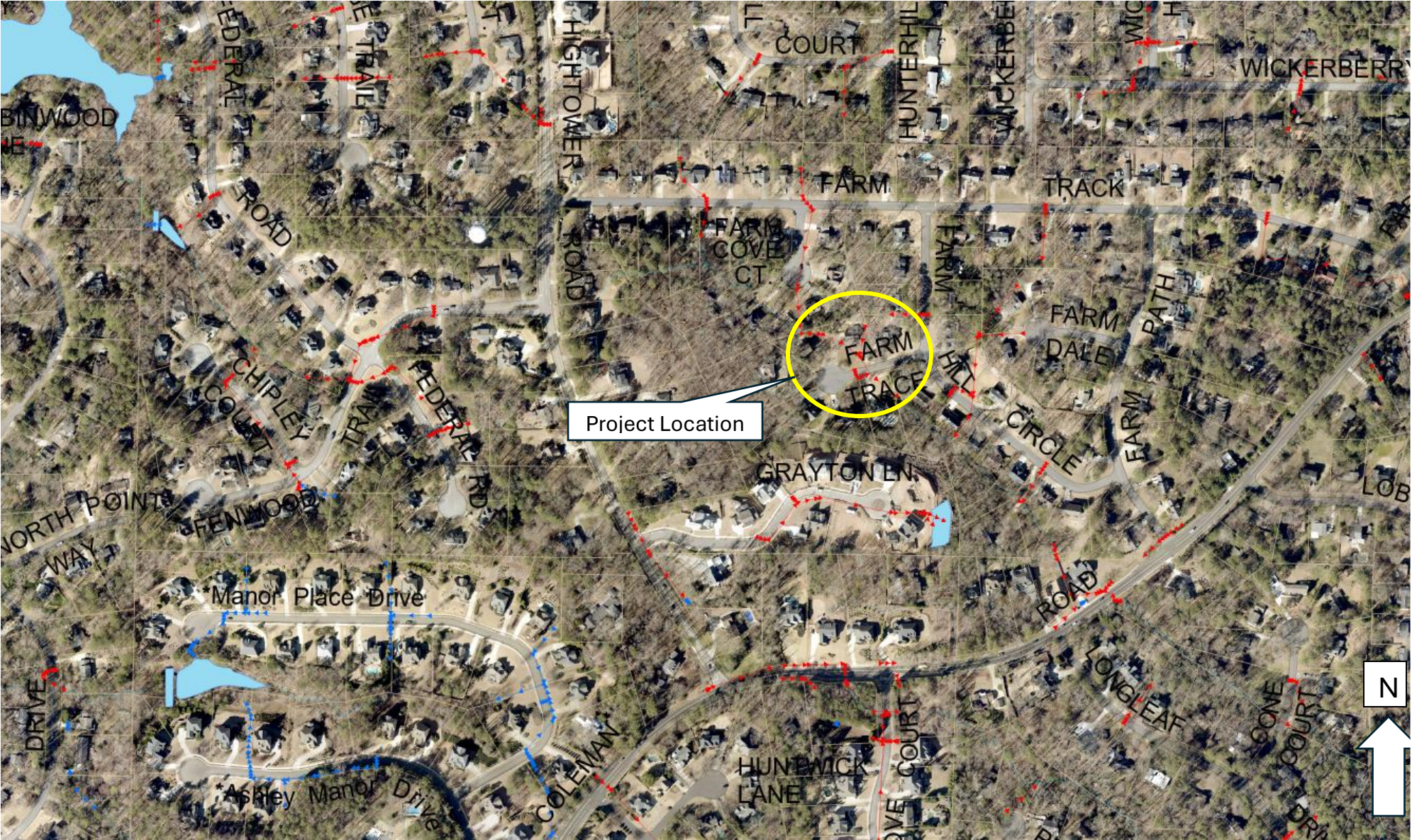
Funding in the amount of \$418,253 is available in the Stormwater Fund in Org - 50743200, Object - 541200, Project - 82016 (from Stormwater Master Project List) for stormwater construction projects.

Recommended Motion:

Motion to approve the Mayor or City Administrator awarding a Task Order with Chatfield Contracting, Inc. for the Farm Trace Stormwater Construction Project in an amount not to exceed \$380,229.74.

Presented by:

Brian Watson, P.E., Director of Environmental/Public Works



Attachment: Project Figure (Farm Trace Stormwater Project)



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10375

MEETING DATE: May 11, 2026

DEPARTMENT: Environmental/Public Works

ITEM TYPE: Task Order

Approval for the Mayor or City Administrator to award a Task Order with Utility Asset Management for the Holcomb Woods Parkway Stormwater Pipe Lining Project in an amount not to exceed \$88,405.

Item Summary:

The purpose of this project is to rehabilitate approximately 130 linear feet of 42" corrugated metal pipe (CMP) and approximately 77 linear feet of 18" CMP using either cured in place pipe (CIPP) or structural concrete methods. In addition, the project will repair the existing outfall to prevent further erosion. The failing pipes are located near the roadway; however, the roadway will remain passable for residents during construction.

The City of Roswell sent the scope of work to all pre-qualified stormwater lining contractors on March 27, 2026. The City received 3 responses which ranged from \$88,405 to \$111,671. The City confirmed prices with the bidders, and chose the lowest bidder in the amount of \$88,405.

Staff recommends awarding the task order to Utility Asset Management in the amount of \$88,405 with a contingency of \$8,840 for unforeseen conditions, for a total budget authorization of \$97,245.

Committee or Staff Recommendation:

On April 28, 2026 the Committees of Council recommended placing this Item on the May 11, 2026 Mayor and Council Agenda.

Financial Impact:

Funding in the amount of \$97,245 is available in the Stormwater Fund in Org - 50743200, Object - 541200, Project - 82016 (from Stormwater Master Project List) for stormwater construction projects.

Recommended Motion:

Motion to approve the Mayor or City Administrator awarding a Task Order with Utility Asset Management for the Holcomb Woods Parkway Stormwater Pipe Lining Project in an amount not to exceed \$88,405.

Presented by:

Brian Watson, P.E., Director of Environmental/Public Works



Attachment: Project Figure (Holcomb Woods Parkway Stormwater Project)



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10371

MEETING DATE: May 11, 2026

DEPARTMENT: Environmental/Public Works

ITEM TYPE: Text Amendment

Approval of a text amendment to Articles 24.6, Adoption of Roswell Dredging Assistance Policy, Section 24.6.1 - Dredging Assistance Policy of the City of Roswell Code of Ordinances. (Second Reading)

Item Summary:

This is a text amendment to Article 24.6 Adoption of Roswell Dredging Assistance Policy, Section 24.6.1 Dredging Assistance Policy of the City of Roswell Code of Ordinances.

The text amendment proposes the following:

- Timeline by which a draft application is to be submitted to be evaluated for the following budget year.
- Timeline by which completed application is to be approved to be eligible for the following budget year.
- Timeline by which the Land Disturbance Permit is to be approved to be eligible for the following budget year.
- Clarification on elements to be evaluated when evaluating and prioritizing lakes/ponds.

Committee or Staff Recommendation:

On April 14, 2026 the Committees of Council recommended placing this item on the April 27, 2026 Mayor and Council agenda for a first reading.

On April 27, 2026 the Mayor and Council approved the first reading and recommended placing this item on the May 11, 2026 Mayor and Council agenda for a second reading.

Financial Impact:

N/A

Recommended Motion:

Motion to approve the Second Reading of a text amendment to Articles 24.6, Adoption of Roswell Dredging Assistance Policy, Section 24.6.1 - Dredging Assistance Policy of the City of Roswell Code of Ordinances.

Presented by:

Brian Watson, P.E., Director of Environmental/Public Works

- CODE OF ORDINANCES CITY OF ROSWELL GEORGIA
 Chapter 24 - UTILITIES AND SERVICES
 Article 24.6 Adoption of Roswell Dredging Assistance Policy

Article 24.6 Adoption of Roswell Dredging Assistance Policy¹

Section 24.6.1 Dredging Assistance Policy.

- (a) The city hereby declares that it is a matter of public health, safety and welfare to protect the water resources of the city and to satisfy standards regarding water quality and quantity.
- (b) Partnership policy. In conjunction with the city's program objective to increase the ability of the network of lakes and ponds to satisfy water quantity and quality objectives, and subject to satisfaction of the program criteria, the city may assist interested property owners in the dredging of their lakes and ponds by paying a portion of the cost of sediment removal or related construction costs as deemed appropriate by the city.
- (c) No program funds will be considered for reimbursement or disbursed unless the following are met prior to any construction:
 - (1) A dredging application is obtained from and submitted and recommended by the environmental/public works department of the city for approval;
 - (2) All applications recommended for approval by the city staff must receive the approval of the mayor and council prior to the commencement of the work;
 - (3) To be considered for the following year's budget, applicants shall submit a draft application prior to March 31st. The draft application shall include at a minimum an estimated itemized construction cost.
 - (4) The complete application shall be approved prior to December 31st of the year in which the draft application is submitted.
 - (5) The Land Disturbance Permit shall be approved prior to December 31st of the year in which the application is submitted.
 - (6) If the dredging project that is approved by mayor and council is split into phases, then each phase must be approved by mayor and council prior to the commencement of each phase of work. Each phase of a project is subject to annual budgetary approval as determined at the mayor and council's sole discretion;
 - (7) Payment will be made only with respect to the actual cost of pre-approved work completed to the satisfaction of the city;
 - (8) Payment will be made only after execution of appropriate lien waivers, as determined solely by the city.
- (d) Dredging eligibility criteria. If a lake or pond has a drainage area of at least one hundred (100) acres or design storage of at least twenty (20) acre feet, it qualifies as the minimum requirement for dredging assistance. Environmental/public works department shall also consider stormwater benefits, the downstream water quality impact of the lake or pond and the contributing drainage area of the lake or pond in determining prioritization of projects. Owners of lakes or ponds which do not meet these criteria may petition the mayor

¹Editor's note(s)—Ord. No. 2022-12-16, Exh. A, adopted December 12, 2022, repealed the former Art. 24.6., § 24.6.1, and enacted a new Art. 24.6 as set out herein. The former Art. 24.6 pertained to similar subject matter and derived from 2015-05-14, adopted May 27, 2015.

and council for inclusion. The merits of including such lakes or ponds shall be reported to mayor and council by the department director of environmental/public works.

- (e) Reimbursement for approved applications.
- (1) The city may reimburse approved applicants for approved project elements up to a maximum of fifty (50) percent of approved actual cost. The maximum reimbursement will be five hundred thousand dollars (\$500,000.00) per approved dredging project or lake. The maximum reimbursement per approved dredging project or lake may be split into multiple phases, so long as the cumulative reimbursement for all phases does not exceed the maximum reimbursement. Nothing contained herein shall obligate the City to expend or budget for any future expenditures past the current budget year. Once an approved project or lake has been completed, it will not be eligible for additional funds more frequently than every ten (10) years unless approved in advance by mayor and council.
 - (2) Approved applications may be funded as funds are budgeted by mayor and council and allocated under the city's normal budget process. Upon approval applicants may be funded on a "first come first serve basis". The city is under no obligation to continue this policy and may re-prioritize the city's budget at any time.
 - (3) The applicant must submit satisfactory evidence that the pre-approved work has been completed together with:
 - a. An invoice with a copy of all applicable receipts; and
 - b. A summary of all applicable dredging expenses; and
 - c. Satisfactory lien waivers; and
 - d. Such other information as may be required by the city.
- (f) Application and dredging project requirements:
- (1) In order for the dredging of a lake or pond to be accepted into the program, the following criteria must be met:
 - a. Dredging plans must be submitted and approved by the environmental/public works department. Plans will need to meet the city land disturbance permitting requirements.
 - b. All work must be performed by a licensed and insured contractor hired by the applicant(s). Such contractor must have past experience sufficient to satisfy the city.
 - c. All work must be properly permitted by the city and all other appropriate governmental agencies.
 - d. Project design and dredging plans and specifications must be submitted to the city for review and approval thru the city design approval process. Dredging plans must, at a minimum, include details with respect to the spoilage of dredged material; such spoilage must be properly permitted by the city and all other appropriate governmental agencies. Details of the proposed dredging project, bank stabilization and other erosion control measures, during and after project completion, including all items necessary to satisfy city requirements to forestall future sedimentation and erosion, shall be provided to the city.
 - e. It is expressly understood that the city shall have no responsibility for the testing or disposal of hazardous wastes, or any other material collected in the project.
 - f. All work must begin within one (1) year of approval of the application by the mayor and council, provided mayor and council may extend such period in their sole discretion. An extension shall be requested and submitted in writing to the department director of environmental/public works.
 - (2) If the project is split into phases, then the following applies.

-
- a. A plan showing the phases and the sequencing shall be submitted with the initial dredging application.
 - b. Work for each phase must begin within one (1) year of approval of the application by the mayor and council, provided mayor and council may extend such period in their sole discretion. The City is under no obligation to budget for or expend any monies not in the current year's budget for any lake or project or phase of project. An extension shall be requested and submitted in writing to the department director of environmental/public works.
- (3) The department director of environmental/public works shall consider the dredging assistance project in light of the city stormwater management program objectives and specifically address the following questions:
- a. Whether the pond proposed for dredging is an essential part of the municipal drainage system based on a hydrology and water quality analysis of the drainage area.
 - b. Whether the work to be performed will benefit the citizens of Roswell as a whole.
- (g) Other requirements and limitations.
- (1) Receipt of program funds will require the execution of a release in favor of the city, suitable to the city attorney, as to any and all claims for damages as a result of siltation or erosion.
 - (2) Dam maintenance and repair costs, including costs for appurtenant structures and facilities such as spillways, outlet control structures and gates, will not be reimbursed in any amount and are not part of dredging assistance. Landscaping improvements, road improvements or maintenance, and other items not directly related to dredging of the lake or pond, in the sole determination of the city's stormwater management division, shall not be eligible for reimbursement.
 - (3) Siltation of a lake or pond must not have been the predominant result of land disturbance activity on the part of the property owner(s) making application under the program or any predecessor in title of said property owner(s).
 - (4) Applicants shall execute, in favor of the city, a permanent easement to allow for access to the lake or pond by city personnel for inspection of the lake or pond and for any work deemed necessary by the city. If the applicant fails to complete the work as deemed necessary, the city may complete the work and assess the properties as allowed by the charter of the city.
 - (5) The city shall have the right to require upstream or downstream measures to minimize incoming sediment and the potential for channel erosion downstream (i.e. forebay). Such measures may be reimbursed as provided herein upon approval of the city.
 - (6) Applicants shall covenant to continue operation of the lake or pond for use as part of the city's stormwater management system according to plans approved by the city and must further covenant to make no changes to the lake or pond structure without the prior, written consent of the city. The form of covenants shall satisfy the city attorney as binding the real estate involved.

(Ord. No. 2022-12-16, Exh. A, 12/12/2022)

STATE OF GEORGIA
COUNTY OF FULTON

First Reading: April 27, 2026
Second Reading: May 11, 2026

ORDINANCE TO AMEND CHAPTER 24 “UTILITIES AND SERVICES”, ARTICLE 24.6 “ADOPTION OF ROSWELL DREDGING ASSISTANCE POLICY” OF THE CODE OF ORDINANCES OF THE CITY OF ROSWELL

WHEREAS, State law provides that the governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property and affairs; and

WHEREAS, the Mayor and Council of the City of Roswell are charged with the protection of the public health, safety and welfare; and

WHEREAS, the Mayor and Council now wish to amend the **City of Roswell Code of Ordinances** regarding the dredging assistance policy, **Chapter 24, Utilities and Services, Article 24.6 Adoption of Roswell Dredging Assistance Policy**:

NOW, THEREFORE, the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following amendment:

1.

Chapter 24 “Utilities and Services,” Article 24.6 “Adoption of Roswell Dredging Assistance Policy” of the Code of Ordinances of the City of Roswell, Georgia is hereby amended by deleting said Article and replacing it in its entirety by adding a new Article 24.6 entitled “Roswell Dredging Assistance Policy” which shall read as shown in Exhibit “A” attached hereto and incorporated herein:

2.

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

3.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the ____ day of _____ 2026.

Approved:

Mary Robichaux, Mayor

Attest:

Nancy Saviano Long, City Clerk

(SEAL)

Attachment: Ordinance to amend Chapter 24.6 of the Code of Ordinances, Adoption of Roswell Dredging Assistance Policy_Second

EXHIBIT “A”

Article 24.6 Roswell Dredging Assistance Policy

Section 24.6.1 Dredging Assistance Policy.

- (a) The city hereby declares that it is a matter of public health, safety and welfare to protect the water resources of the city and to satisfy standards regarding water quality and quantity.
- (b) Partnership policy. In conjunction with the city's program objective to increase the ability of the network of lakes and ponds to satisfy water quantity and quality objectives, and subject to satisfaction of the program criteria, the city may assist interested property owners in the dredging of their lakes and ponds by paying a portion of the cost of sediment removal or related construction costs as deemed appropriate by the city.
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City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10397

MEETING DATE: May 11, 2026

DEPARTMENT: Community Development

ITEM TYPE: Public Hearing

Approval of a Conditional Use Permit for a Carriage House at 440 Houze Way (ZUSE-1225-000002).

Item Summary:

The applicant, Kelvin Walls, is requesting a conditional use to allow for a 986 square foot carriage house to be located at 440 Houze Way.

Committee or Staff Recommendation:

The Community Development Department recommends approval.

On April 21, 2026 the Planning Commission recommended Denial.

Financial Impact:

N/A

Recommended Motion:

Motion to approve a Conditional Use Permit for a Carriage House at 440 Houze Way (ZUSE-1225-000002).

Presented by:

Jeannie Peyton, Planning and Zoning Director



Petition Number ZUSE-1225-000002

Hearing & Meeting Dates

Neighborhood Meeting – 4/7/2026

Planning Commission – 4/21/2026

Mayor & Council – 5/11/2026

Applicant/Owner

Kelvin Walls
440 Houze Way
Roswell, GA 30076

Property Information

440 Houze Way
Land Lot 0445 | Parcel Number 12 -1971-0445-012-6
Zoning District – RS-30 (Single-Family Estate)
2040 Comprehensive Plan Character Area – Suburban Residential

Request

The applicant is requesting Conditional Use for a Carriage House. Conditional Uses may be permitted only where approved by the City Council in accordance with UDC 13.4. and are subject to all other applicable requirements of the UDC, except where the use standards are expressly modified by the Mayor and City Council as part of the conditional use permit approval.

- A Carriage House is described in our code as a small self-contained accessory dwelling unit located on the same lot as a detached house but physically separated, for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping (UDC 2.1.1.B.).
- A Carriage House is an allowed Building Type in Residential Districts (UDC 3.2.1.) and is subject to the regulations for the RS-30: Single-Family Estate zoning district (UDC 3.2.6).
- A Carriage House Use is a Conditional Use in RS-30 under the Accessory Use category (UDC 3.4.2.) and is defined and regulated in UDC 9.7.2.



Staff Recommendation

Staff is recommending **approval with conditions** of conditional use request for a carriage house. If Mayor and Council choose to approve the above conditional use request, staff recommend the following conditions:

1. Approval shall be in substantial compliance with the site plan received by the City of Roswell on February 24, 2026.

Planning Commission Recommendation

At the Public Hearing on April 21, Planning Commission recommended **denial**. They stated they believed the application was administrative incomplete and had insufficient documents.

- Administrative incompleteness; related to a Fulton County Health Department approval of the septic system design for the proposed project.

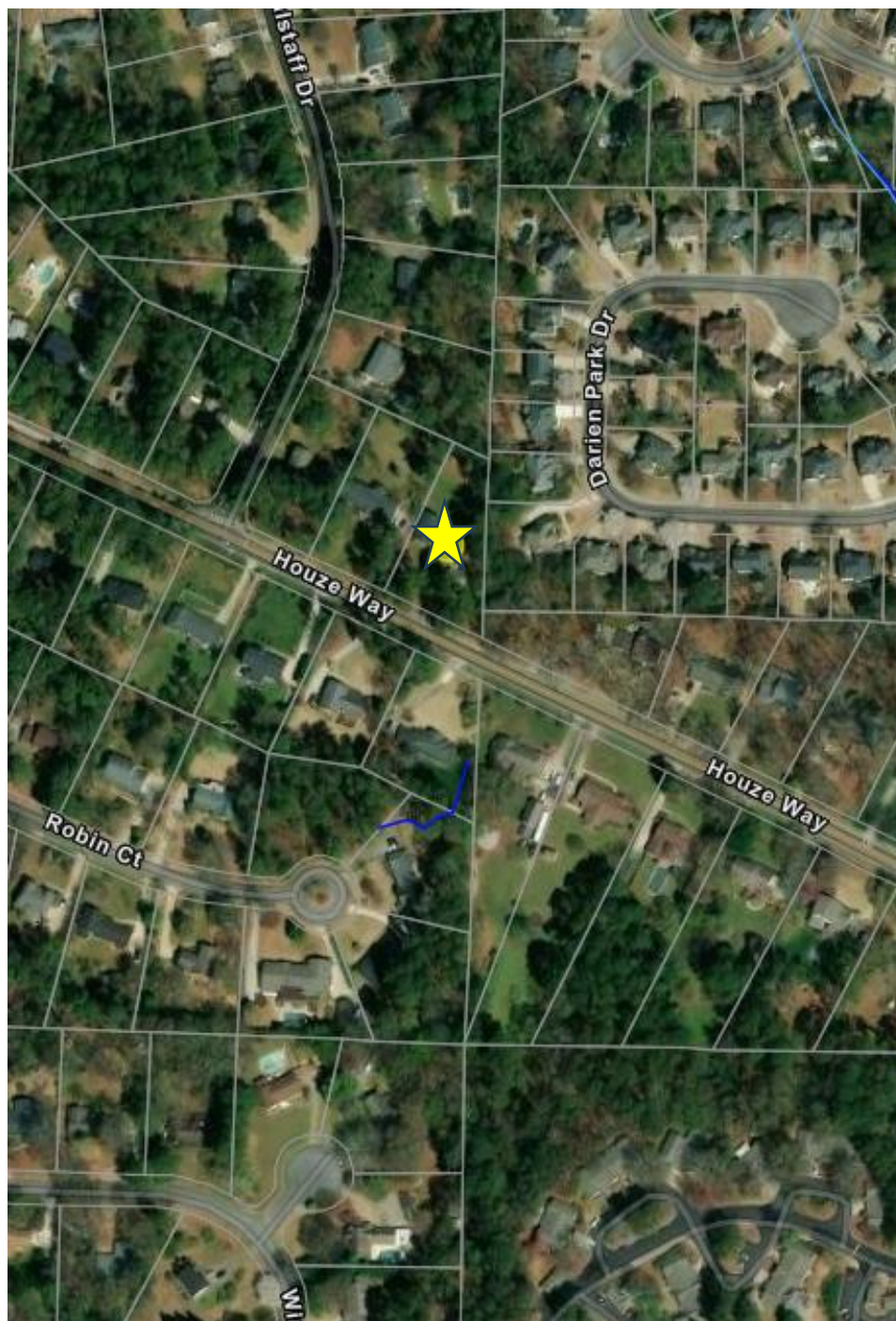
This is not a criteria for approval or denial of a conditional use.

- Insufficient documents; related to the Site Plan document presented for the case on which the Surveyor of record provided a boundary note and a recording note.

Per legal, there was no deficiency.



Location Map



Attachment: MCC Staff Report_ 440 House Way (Conditional Use for a Carriage House at 440 Houze Way)



Proposed Site Plan

SUBJECT PROPERTY
 165 PINWOOD DRIVE
 SENOLA, GEORGIA 30276
 1000 S.W. 10TH AVENUE, SUITE 100
 ATLANTA, GEORGIA 30309
 (404) 477-1111
 WWW.HILTONLANDSURVEYING.COM

GENERAL NOTES

1. THE SITE PLAN IS BASED ON THE RECORD PLAT FOR WINDSOR FOREST SUBDIVISION, UNIT TWO, FILED IN THE CLERK OF SUPERIOR COURT OFFICE FOR FULTON COUNTY, GEORGIA, BOOK 100, PAGE 100.
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LEGEND

- EXISTING DRIVE
- EXISTING SIDEWALK
- EXISTING CURB
- EXISTING UTILITY
- EXISTING TREE
- EXISTING FENCE
- EXISTING WALL
- EXISTING CONCRETE
- EXISTING ASPHALT
- EXISTING GRAVEL
- EXISTING SAND
- EXISTING SOIL
- EXISTING ROCK
- EXISTING BRICK
- EXISTING TILE
- EXISTING STONE
- EXISTING METAL
- EXISTING WOOD
- EXISTING PLASTER
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- EXISTING BRICK
- EXISTING TILE
- EXISTING STONE
- EXISTING METAL
- EXISTING WOOD
- EXISTING PLASTER
- EXISTING GYPSUM

PROPOSED IMPROVEMENTS

- NEW DRIVE
- NEW SIDEWALK
- NEW CURB
- NEW UTILITY
- NEW TREE
- NEW FENCE
- NEW WALL
- NEW CONCRETE
- NEW ASPHALT
- NEW GRAVEL
- NEW SAND
- NEW SOIL
- NEW ROCK
- NEW BRICK
- NEW TILE
- NEW STONE
- NEW METAL
- NEW WOOD
- NEW PLASTER
- NEW GYPSUM

RECORDING NOTE

THIS SITE PLAN IS BASED ON THE RECORD PLAT FOR WINDSOR FOREST SUBDIVISION, UNIT TWO, FILED IN THE CLERK OF SUPERIOR COURT OFFICE FOR FULTON COUNTY, GEORGIA, BOOK 100, PAGE 100.

SEAL OF THE CLERK OF SUPERIOR COURT

FULTON COUNTY, GEORGIA

REVISIONS

NO.	DATE	DESCRIPTION
1	11/11/2026	ISSUED FOR PERMIT

SITE PLAN FOR:

KELVIN L. WALLS

WINDSOR FOREST SUBDIVISION - UNIT TWO

LAND LOT 445 1ST DISTRICT CITY OF ROSWELL FULTON COUNTY, GA

HILTON LAND SURVEYING

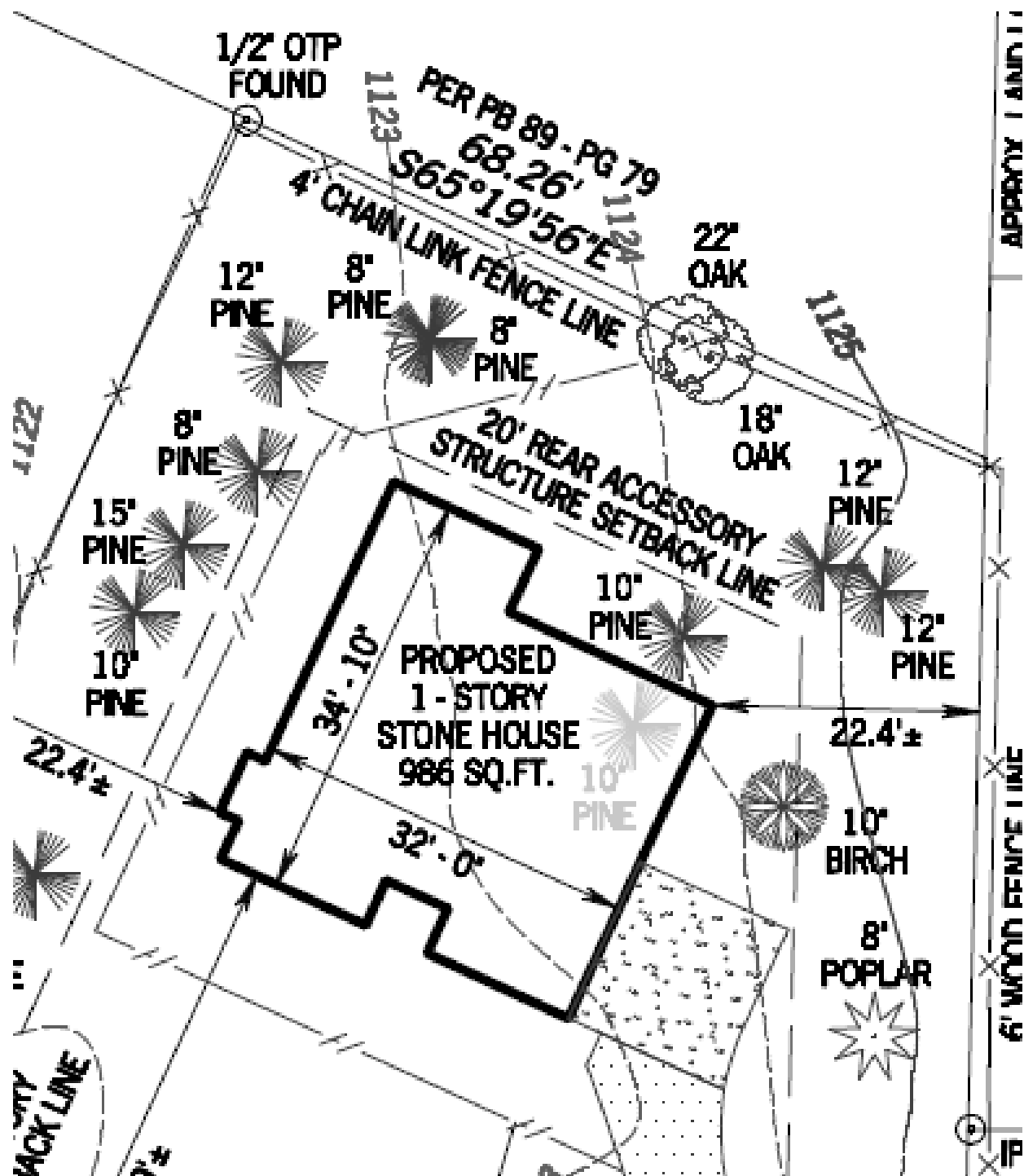
165 PINWOOD DRIVE
 SENOLA, GA 30276
 (404) 477-1111
 WWW.HILTONLANDSURVEYING.COM

PROJECT MAP

Attachment: MCC Staff Report_ 440 Houze Way (Conditional Use for a Carriage House at 440 Houze Way)



Site Plan Close up



Attachment: MCC Staff Report_ 440 Houze Way (Conditional Use for a Carriage House at 440 Houze Way)



Background

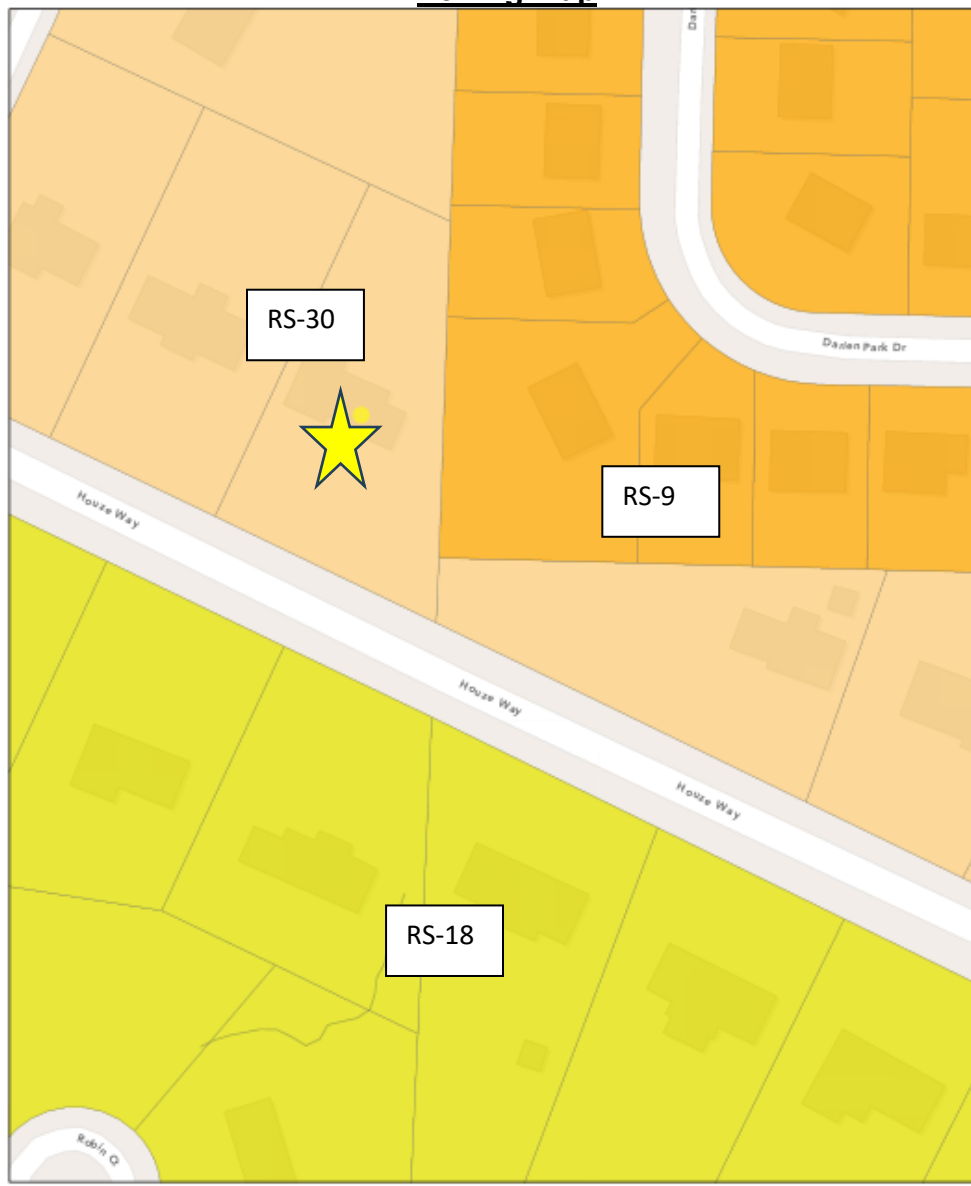
The property is zoned RS-30 (Single-Family Estate) and currently has a split-level single-family house. The property is approximately .724 acres and has one frontage on Houze Way. Most of the rear of the lot where the carriage house will be placed is clear of vegetation, except for trees around the perimeter of the lot.

Comprehensive Plan

In the 2040 Comprehensive Plan this site falls under the Suburban Residential character area. This character area is intended to foster stable, well-established suburban neighborhoods. Existing single-family neighborhoods are preserved and protected in their current state, as are pockets of existing other housing types that occur on scattered sites. Infill and redevelopment opportunities are limited and should be sensitive to scale and character when implemented.



Zoning Map

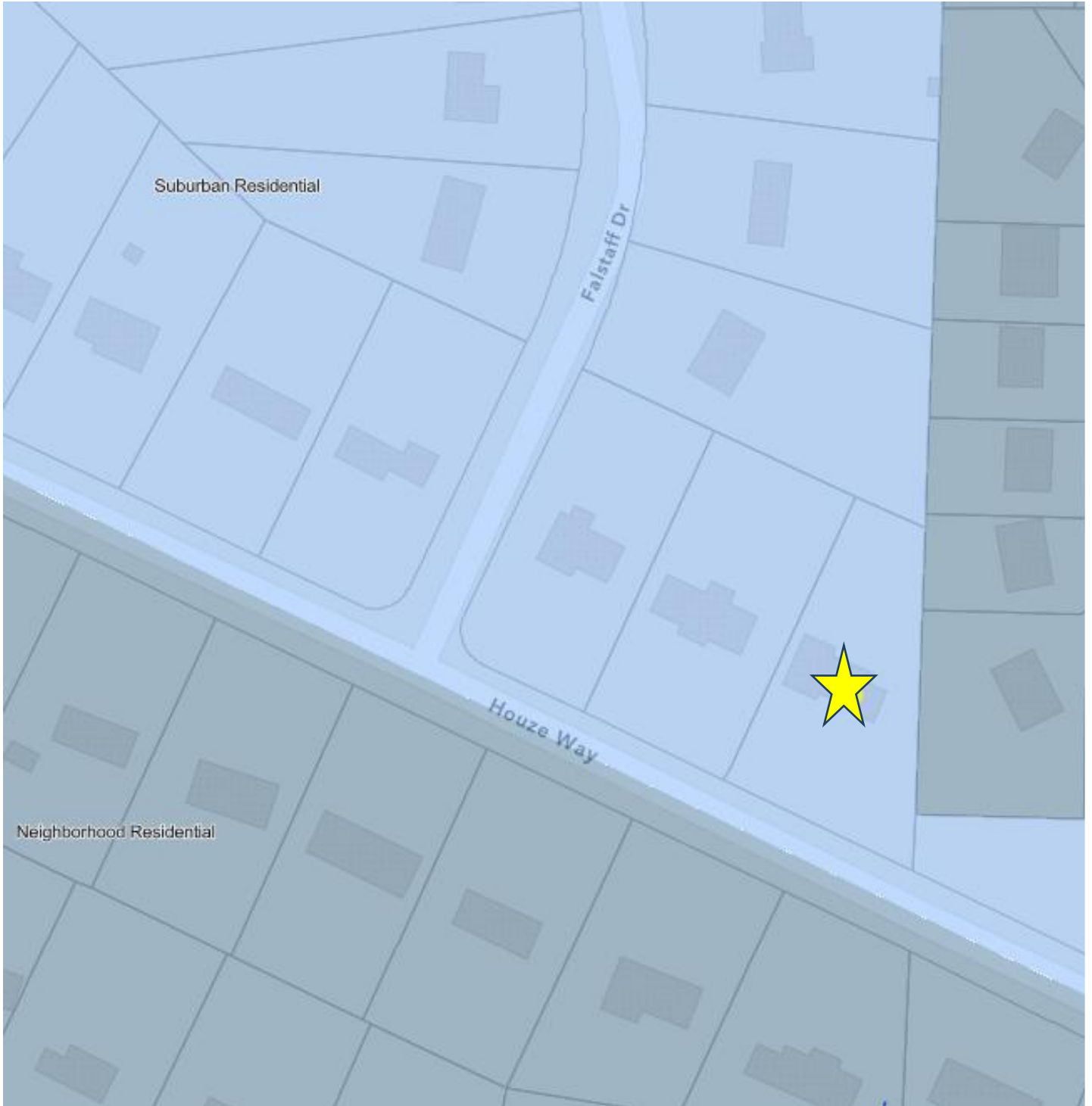


NORTH	RS-30	Single Family Homes
SOUTH	RS-18	Single-Family Homes
EAST	RS-30, RS-9	Single-Family Homes
WEST	RS-30	Single-Family Homes

Attachment: MCC Staff Report_ 440 House Way (Conditional Use for a Carriage House at 440 House Way)



Future Land Use Map



Attachment: MCC Staff Report_ 440 Houze Way (Conditional Use for a Carriage House at 440 Houze Way)



Site Plan Analysis

The site plan shows an existing single-family house that sits approximately 100 feet back from Houze Way. The proposed one-story carriage house is 986 square feet in size. The applicant proposes the addition of a pebble driveway that will extend from the existing driveway to the new structure. A concrete pad for an additional parking space is proposed, as well.

Landscape Plan Analysis

The tree plan provided indicates that the applicant proposes to remove approximately nine pine trees and two hard woods. The applicant proposes planting evergreens around the perimeter of the rear of the lot.



Criteria for Conditional Use

- 1. The use is allowed as a Conditional Use in the respective zoning district (see Articles 3-7).**

A Carriage House is allowed, with the approval from the Mayor and Council of a Conditional Use permit, in the RS-30 (Single-Family Estate).

- 2. The use complies with the applicable specific use standard listed in Article 9, if any, without the granting of any variance.**

No variances are requested. The current maximum Conditioned square footage of a carriage house in the RS-30 Zoning District, as regulated in UDC 3.2.6., is 1,000 SF, and the proposed size is 986 SF.

- 3. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation, and operating characteristics.**

The proposed use is compatible with adjacent uses in terms of location, scale, site design, hours of operation, and operating characteristics. The immediate adjacent properties are all single-family residential.

- 4. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset.**

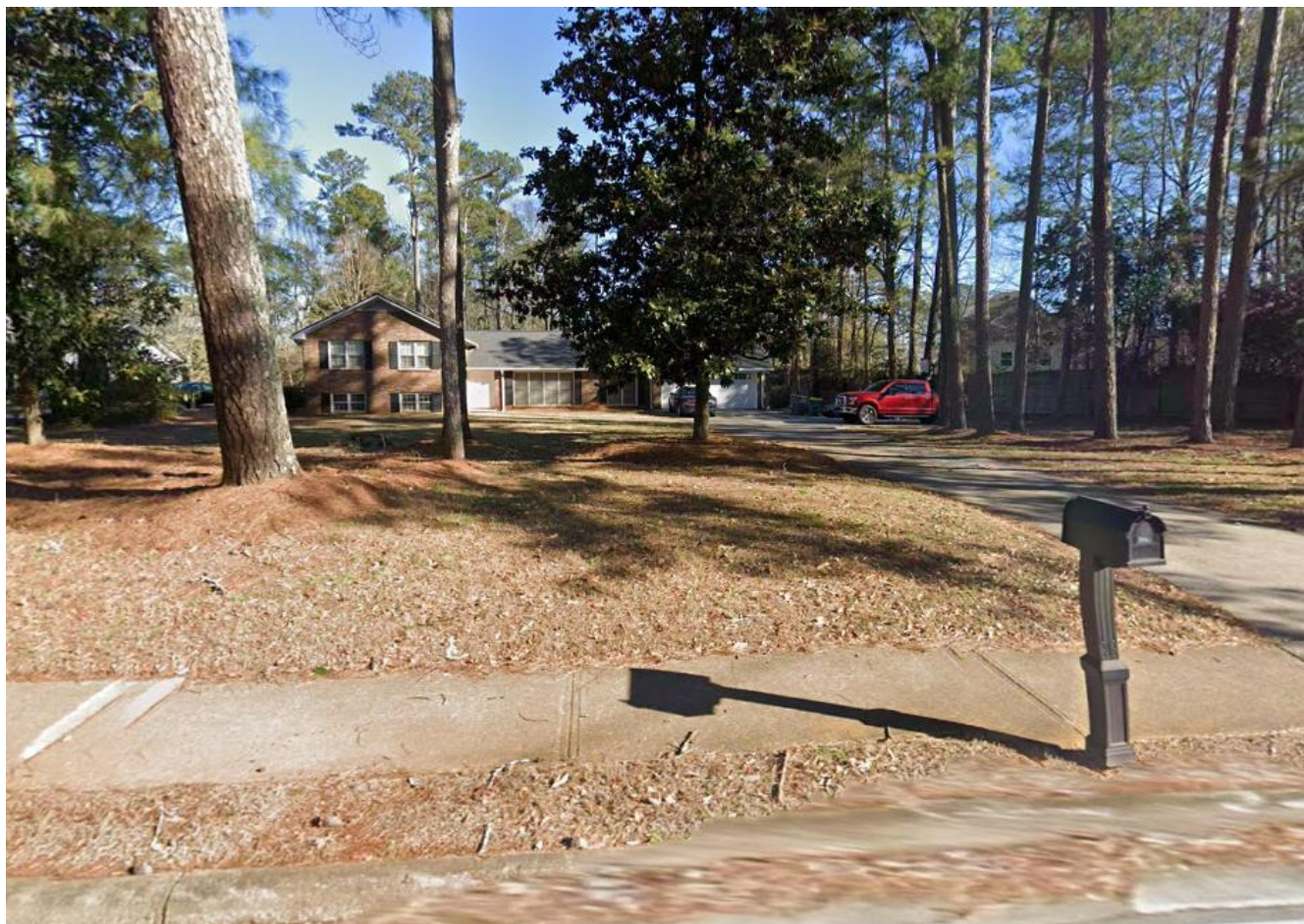
There will not be an adverse impact on the neighbors or community, the proposed carriage house will be approximately 80 feet away from the neighboring house to the rear of the property. Furthermore, there is considerable vegetation between the neighboring houses and the proposed carriage house. The applicant also proposes to plant evergreens around the perimeter of the rear of the lot.

- 5. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.**

The City and other service providers will be able to provide sufficient public facilities and services while maintaining sufficient levels of service to existing development.



Street View



Attachment: MCC Staff Report_ 440 Houze Way (Conditional Use for a Carriage House at 440 Houze Way)

SUBJECT PROPERTY

OWNER: KELVIN L. WALLS (PER TAX ASSESSOR)
SITE ADDRESS: 440 HOUZE WAY, ROSWELL, GA 30076
AREA: 0.69 ACRES - PER PLAT BOOK 89 - PG 79
PARCEL #12 197104450126
REFERENCE: DEED BOOK 52403 - PAGE 607
PLAT BOOK 89 - PG 79
ZONED: RS-30 - SINGLE-FAMILY ESTATE

- FRONT SETBACK: 60 FEET*
- SIDE SETBACK: 15 FEET*
- REAR SETBACK: 20 FEET*
- *ACCESSORY STRUCTURE SETBACKS
- MINIMUM LOT AREA = 30,000 SQUARE FEET
- MINIMUM LOT WIDTH = 120 FEET
- MAXIMUM BUILDING HEIGHT = 35 FEET PRINCIPAL / 24 FEET ACCESSORY

ZONING INFORMATION SHOWN HEREON WAS TAKEN FROM THE CITY OF ROSWELL GIS ZONING MAP AND CITY OF ROSWELL MUNICOD. ZONING SHOULD BE VERIFIED BY CONTRACTOR BEFORE ANY CONSTRUCTION BEGINS.

GENERAL NOTES

THIS SURVEY IS THE RESULTS OF RECOVERED FIELD EVIDENCE, DOCUMENTS PROVIDED BY THE CLIENT OR OTHER SOURCES, AND LIMITED COURTHOUSE RESEARCH OF PUBLIC RECORDS FOR EASEMENTS AND PROPERTY LINES OF THE SUBJECT AND ADJOINING PROPERTIES AS REFERENCED HEREON. NO ABSTRACT TITLE OR TITLE COMMITMENT WAS PROVIDED WHICH MAY CONTAIN ADDITIONAL RIGHTS-OF-WAY OR EASEMENTS NOT CURRENTLY SHOWN.

THE FIELD DATA UPON WHICH THIS SURVEY IS BASED ON HAS A RELATIVE POSITIONAL ACCURACY OF 0.02 FEET HORIZONTAL AT THE 95% CONFIDENCE LEVEL.

EQUIPMENT USED FOR ANGULAR AND LINEAR MEASUREMENTS: CARLSON BRX7 GNSS DUAL FREQUENCY RECEIVER, IN COMBINATION WITH A LEICA TS13 ROBOTIC TOTAL STATION. (DATE OF LAST FIELD VISIT: OCTOBER 30, 2025)

THE BASIS FOR THE DIRECTIONS AND ELEVATIONS SHOWN HEREON IS: GRID NORTH AS DEFINED BY NAD 83 AND NAVD 88 (GEOID 18) DATUM, GEORGIA WEST ZONE AND DETERMINED THROUGH RTK-GPS METHODS UTILIZING A GNSS REAL TIME NETWORK SOLUTION BY HILTON LAND SURVEYING.

THE 2' CONTOURS SHOWN ON THIS SURVEY ARE ADJUSTED TO NAVD88 DATUM (COMPUTED USING GEOID 18) AND HAVE A VERTICAL ACCURACY OF ±1'. CONTOURS OUTSIDE THE IMMEDIATE AREA ARE APPROXIMATE.

THE BOUNDARY INFORMATION SHOWN HEREON WAS TAKEN FROM PLAT BOOK 89 - PAGE 79; AND HAS BEEN USED VIA MEANS OF SUPPLEMENTAL FIELD VERIFICATION, WHICH IN NO WAY CONSTITUTES A BOUNDARY CERTIFICATION OR WARRANTY OF BOUNDARY INFORMATION BY THIS SURVEYOR. AND HAS BEEN USED EXCLUSIVELY FOR THE PURPOSES OF A SITE PLAN FOR THE AFOREMENTIONED PROPERTY.

NO PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD AREA AS PER THE CITY OF ROSWELL F.I.R.M. COMMUNITY PANEL NO. 13121 C 0061 F DATED SEPTEMBER 18, 2013.

1 - 10' PINE TREE TO BE REMOVED DURING THE CONSTRUCTION OF THE NEW HOUSE.

NO UTILITIES TO BE DISTURBED DURING CONSTRUCTION OF THE NEW HOUSE.

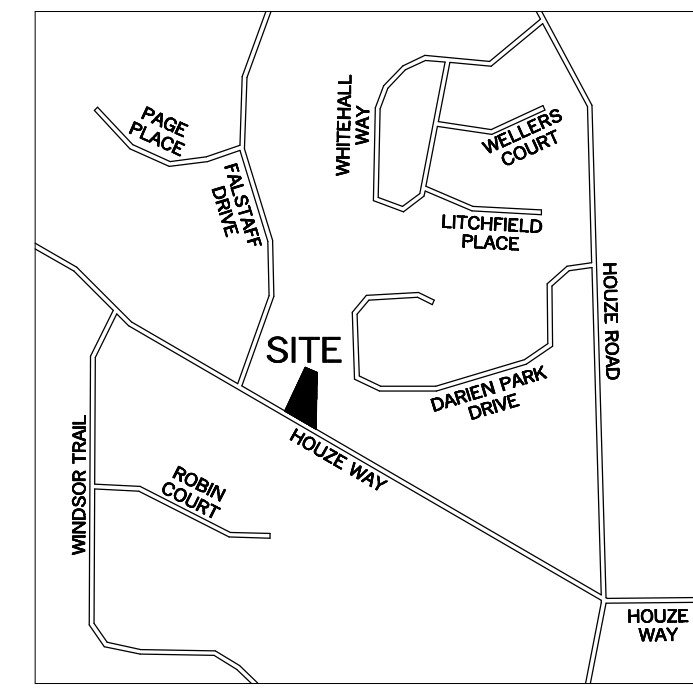
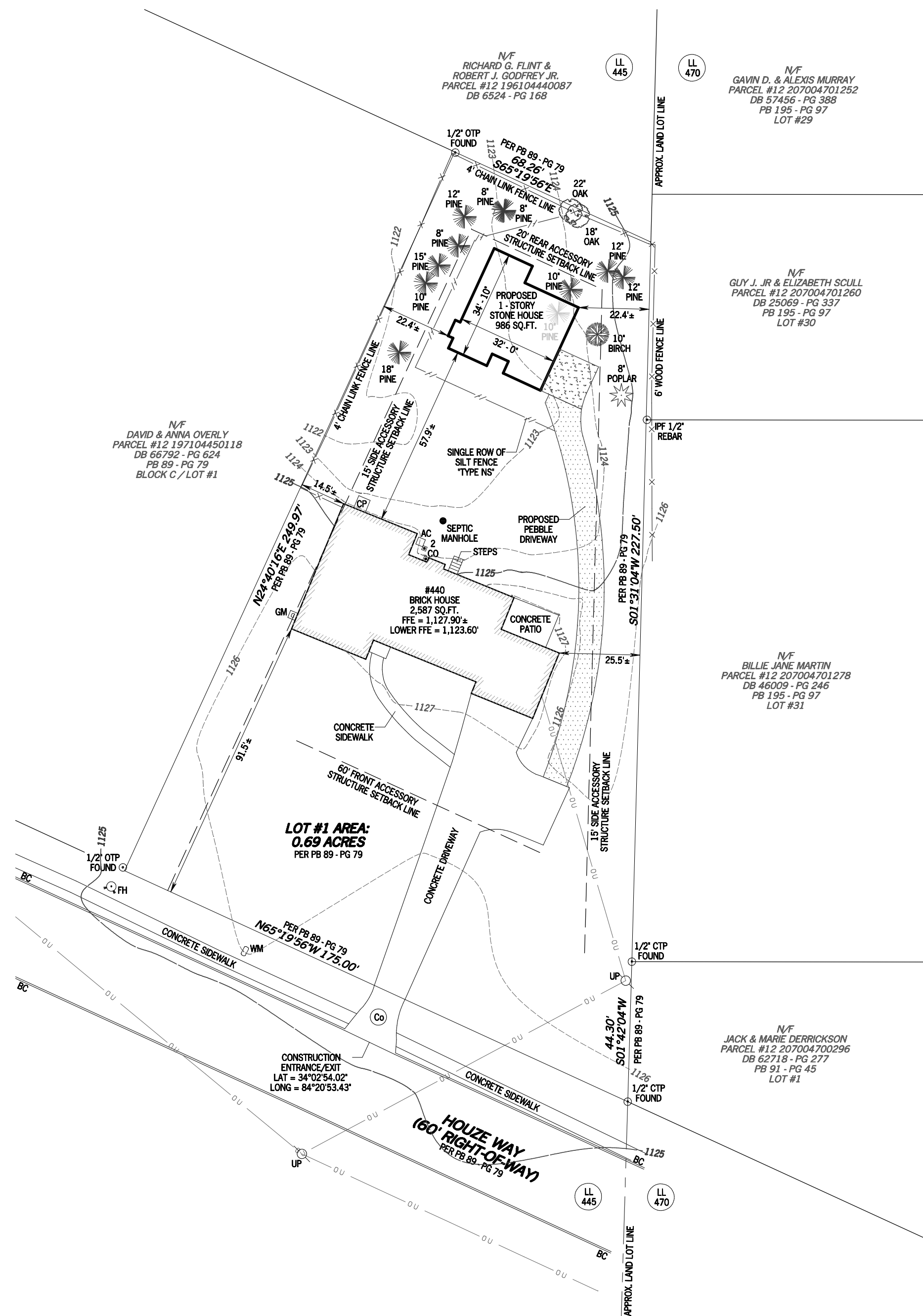
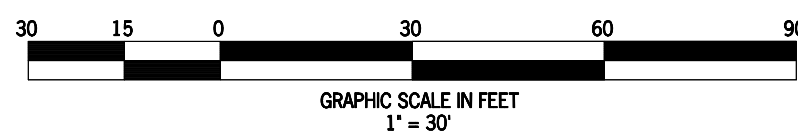
EXISTING HOUSE ON CITY SEWER AND CITY WATER.

SYMBOLS

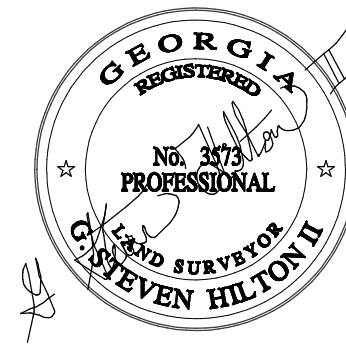
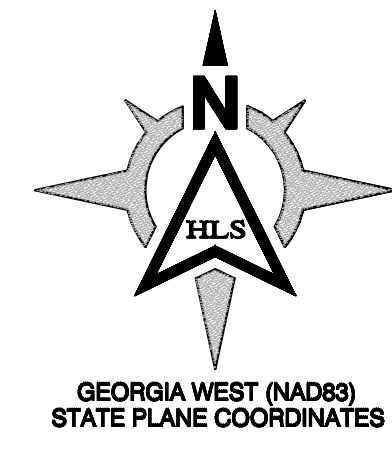
IPF = ○ - AS SHOWN HEREON

LEGEND

N/F	NOW OR FORMERLY	LL	LAND LOT
PB	PLAT BOOK	CP	CONCRETE PAD
DB	DEED BOOK	GM	GAS METER
PG	PAGE	FH	FIRE HYDRANT
IPF	IRON PIN FOUND	WM	WATER METER
OTP	OPEN TOP PIPE	AC	AIR CONDITIONER
CTP	CRIMP TOP PIPE	FFE	FINISHED FLOOR ELEVATION



VICINITY MAP (NOT TO SCALE)



BOUNDARY NOTE

THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY. THE BOUNDARY INFORMATION SHOWN HEREON WAS PERFORMED BY OTHERS. PLEASE SEE GENERAL NOTES FOR DETAILS.

THIS SURVEY DOES NOT MEET "MINIMUM STANDARDS OF PROPERTY BOUNDARY SURVEYS" AND MERELY REPRESENTS CONDITIONS FOUND ONSITE AT THE TIME OF SURVEY.

RECORDING NOTE

SHOULD NOT BE RECORDED WITH THE FULTON COUNTY CLERK OF SUPERIOR COURT IN CURRENT FORM WITH SITE PLAN SURVEY INFORMATION SHOWN.



HILTON LAND SURVEYING

165 PINEWOOD DRIVE
SENOIA, GA 30276
(e) STEVEN.HILTON@HILTONLS.COM
(w) WWW.HILTONLS.COM
DEUT. 27:17 PROV. 22:28

SITE PLAN FOR:

KELVIN L. WALLS

WINDSOR FOREST SUBDIVISION ~ UNIT TWO

LAND LOT 445 1ST DISTRICT CITY OF ROSWELL FULTON COUNTY, GA

COA: LSF001476
HLS JOB #25026

DRAWN BY: NDW CHECKED BY: NDW & GSH

ISSUE DATE: 11-24-2025

REVISED DATE: 02-24-2026

DRAWING NUMBER 1 OF 1

Affidavit

Georgia
County of fulton

The undersigned, KELVIN L. WALLS, being duly sworn, hereby deposes and says:

1. I am over the age of 18 and am a resident of Georgia. I have personal knowledge of the facts herein, and, if called as a witness, could testify completely thereto.
2. I suffer no legal disabilities and have personal knowledge of the facts set forth below.
3. I am providing this statement of my intent to add an in-law suite to the rear of my property located at 440 Houze Way, Roswell, Ga. 30076. The addition will be occupied by my aging in-laws; they will not be paying rent. The suite will be less than 1000sf of heated space, no taller than 20ft in height, will be placed on the property within the setbacks dictated by ordinance. the impervious square footage is unknow at this time however, it will not cover the property in its entirety. Trees will be removed for the project, pine trees are the primary species.

I declare that, to the best of my knowledge and belief, the information herein is true, correct, and complete.

Executed this 15 day of Oct, 2025.


Kelvin L. Walls

NOTARY ACKNOWLEDGMENT

Georgia, County of fulton, ss:

On this 15th day of OCTOBER, 2025, before me, STACY RANDOLPH, personally appeared Kelvin L. Walls, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within Affidavit, and, being first duly sworn on oath according to law, deposes and says that they have read the foregoing Affidavit subscribed by them and that the matters stated herein are true to the best of their information, knowledge, and belief.

In witness whereof I hereunto set my hand and official seal.

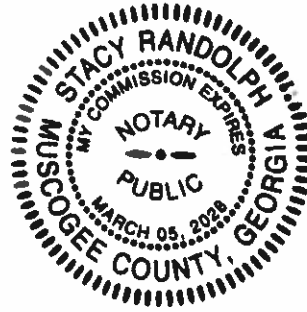
[Handwritten Signature]

Notary Public

NOTARY

Title (and Rank)

My commission expires 3.05.2028



Attachment: ZUSE-1225-000002 (440 Houze Way) Letter of Intent (Conditional Use for a Carriage House at 440 Houze Way)



[EXTERNAL] Tree Protection and Removal Plan

From Kelvin Walls <wallskel@gmail.com>

Date Tue 12/16/2025 4:59 PM

To Walls, Kelvin L. <KWalls@AtlantaGa.Gov>

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

CRI Tree service proposal,

Removal of trees in backyard for the installation of a tiny home.

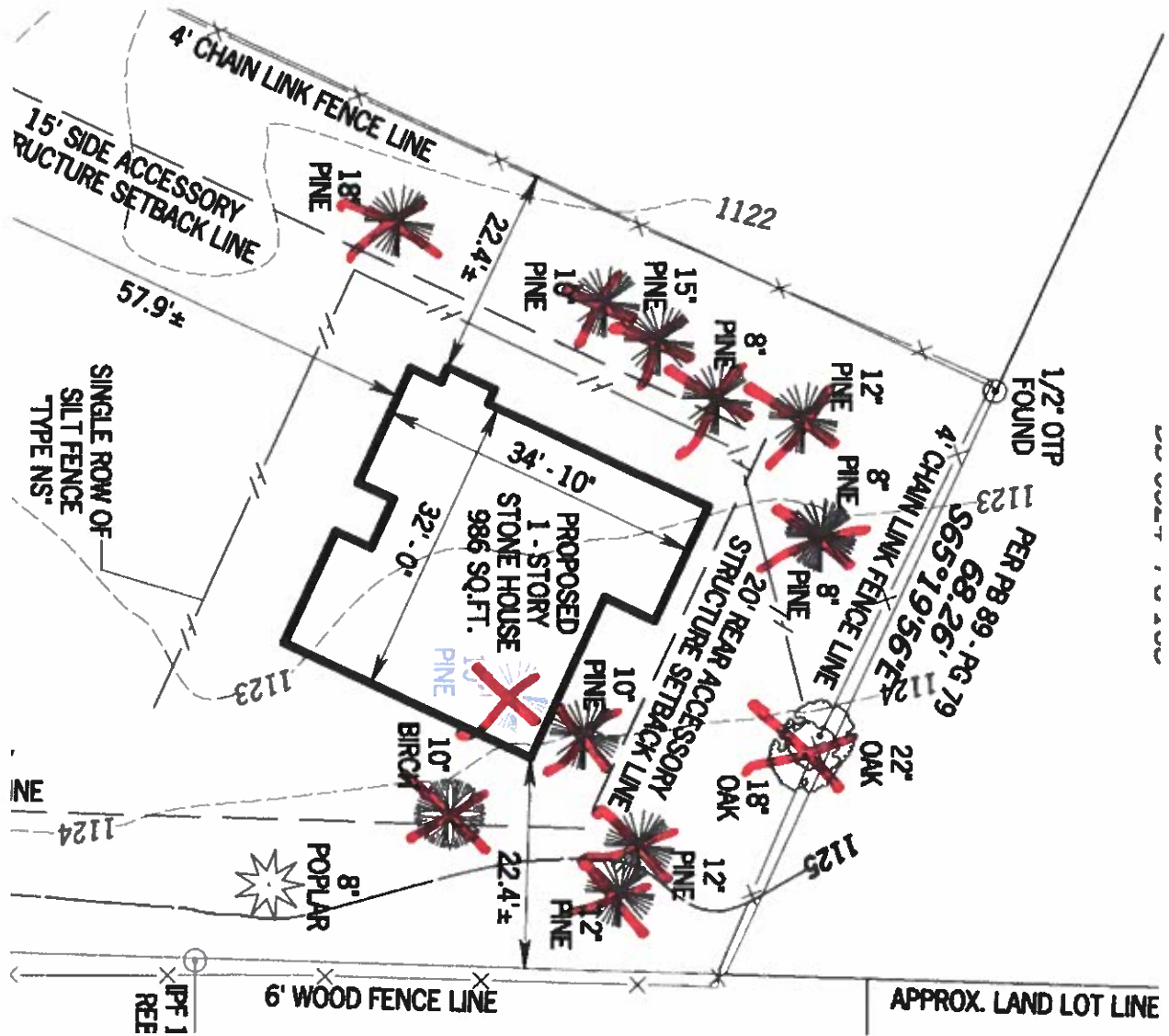
1. Removal of twelve pine trees.
2. Removal of smaller juvenile trees along the fence, totaling six.
3. Removal of rotting cherry tree in front of shed.
4. Removal of oak tree growing into fence.
5. Removal of sweet gum in far left corner.
6. Removal or trimming of water oak directly behind shed — tree is growing through the fence and top rail.

Haul all debris, rake, clean, and blow affected areas.

Grind all stumps; chips to remain onsite.

Total Cost: \$7,000

Jacob Miller ISA Certified Arborist SO-10102A





SUBMITTAL SUMMARY REPORT (ZUSE-1225-000002) FOR CITY OF ROSWELL, GA

PERMIT ADDRESS: 440 Houze Way Way
Roswell, GA 30076

PARCEL: 12 -1971-0445-012-6

APPLICATION DATE: 12/16/2025 **SQUARE FEET:** 0 **DESCRIPTION:** Building a carriage house with less than 1000 sq. heated and non-heated space. consisting of bedrooms and 1 and 1/2 baths. at the rear of existing home

EXPIRATION DATE: 12/16/2027 **VALUATION:** \$0.00

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	KELVIN WALLS		440 HOUZE WAY ROSWELL, GA 30076
Owner	KELVIN WALLS		440 HOUZE WAY ROSWELL, GA 30076
Representative	KELVIN WALLS		440 HOUZE WAY ROSWELL, GA 30076

CONDITION	DESCRIPTION	CREATED BY	CREATED ON	COMMENTS	SATISFIED
BASIC GUIDANCE - <1000	If the total new/replaced impervious area is under 1,000 square feet, the project is exempt from runoff reduction and water quality requirements under the UDC. However, if work exceeds the approved impervious limits during construction, all work must stop until revised plans are submitted and approved by the City. The project will still be reviewed but is likely to be approved with minimal conditions.	Adam Watts	01/07/2026		Yes
Impervious change >1000	The applicant is advised: If at any point during demolition and construction the limits of proposed new or replaced impervious area is expected to exceed 1000 square feet, applicant must stop work and submit a revision to the construction plans that accounts for the additional impervious area.	Adam Watts	01/07/2026		Yes
Impervious change general	The applicant is advised that at any point during demolition and construction operations, if the limits of proposed impervious exceed the limits shown on the approved plans, a stop work order will be issued and a revision to the construction plans will be needed to account for any added impervious on the site.	Adam Watts	01/07/2026		Yes
General Condition	General Building Approval Conditions:	Stan Zaverukha	01/08/2026	The applicant shall apply for the required building permit(s) and submit the corresponding construction documents for review, as applicable.	Yes

Attachment: ZUSE-1225-000002 440 Houze Way Submittal Summary Report/Comments (Conditional Use for a Carriage House at 440 Houze

SUBMITTAL SUMMARY REPORT (ZUSE-1225-000002)

2.f

CONDITION	DESCRIPTION	CREATED BY	CREATED ON	COMMENTS	SATISFII
General Condition	The Roswell Fire Marshal's Office has reviewed the plans and specifications in accordance with the applicable state adopted minimum Fire Safety Standards in effect at the time of review. Every effort was made to check for code compliance. However, this does not relieve the owner, contractor, architect or any other responsible party from compliance with the items missed or unknown to the reviewer. Any changes or modifications in approved plans shall be reviewed by the City of Roswell prior to making the changes.	Robert Major	01/10/2026		Yes
General Condition	Approval conditions	Osmany Ordonez	01/12/2026	Applicant will be required to apply for a Combo (Land Disturbance/Building) permit. The site plan should include the limits of disturbance, all trees to be affected, and erosion control measures.	Yes
Location of active & passive tree protection		Laura Sommet	03/06/2026	During the Land Disturbance Permit/Building permit process, please show location of tree protection fencing for preserved trees, provide detail of active tree save fence, see (UDC Section 12.1.8). Please also provide alternative native species in place of the Leyland Cypress. Replacement trees must be at least 80% native and no more than 40% of one genus.	Yes

SUBMITTAL	STARTED	DUE	COMPLETE	STATUS
Conditional Use Review v.1	12/22/2025	01/09/2026	01/22/2026	Requires Re-submit
Conditional Use Review v.2	03/02/2026	03/09/2026	03/09/2026	Approved

SUBMITTAL DETAILS

Conditional Use Review v.1

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Building Division (Building Division)	Stan Zaverukha	01/09/2026	01/08/2026	Approved
Engineering (Engineering)	Osmany Ordonez	01/09/2026	01/12/2026	Approved with Conditions
Fire (Fire)	Robert Major	01/09/2026	01/10/2026	No Requirements
<i>Comments</i>	The Roswell Fire Marshal's Office has reviewed the plans and specifications in accordance with the applicable state adopted minimum Fire Safety Standards in effect at the time of review. Every effort was made to check for code compliance. However, this does not relieve the owner, contractor, architect or any other responsible party from compliance with the items missed or unknown to the reviewer. Any changes or modifications in approved plans shall be reviewed by the City of Roswell prior to making the changes.			
GIS (GIS)	Nancy Velez	01/09/2026	12/22/2025	Approved
<i>Comments</i>	I am recommending approval from a GIS perspective.			
P&Z CU (Planning & Zoning)	Angela Rambeau	01/09/2026	01/09/2026	Requires Re-submit
<i>Comments</i>	Show additional parking space			
Sanitation (Sanitation)	Nick Pezzello	01/09/2026	12/29/2025	Approved
Stormwater (Stormwater)	Adam Watts	01/09/2026	01/07/2026	Approved with Conditions
<i>Comments</i>	Adam Watts			

Attachment: ZUSE-1225-000002 440 Houze Way Submittal Summary Report/Comments (Conditional Use for a Carriage House at 440 Houze

SUBMITTAL SUMMARY REPORT (ZUSE-1225-000002)

Transportation (Transportation)	Serge Osse	01/09/2026	12/22/2025	Approved with Comments
<i>Comments</i>	Transportation recommends approval (This accessory building does not exceed 1,000 square feet of gross floor area)			
Tree (Tree)	Laura Sommet	01/09/2026	12/31/2025	Requires Re-submit
<i>Comments</i>	See Corrections Tab and plan markup for comments			
<i>Corrections</i>	<p>General (Not Resolved) - 1. Trees proposed for removal in tree protection removal plan email do not match what is shown on site plan. The sweetgum and cherry proposed to be removed are not shown, for example.</p> <p>2. Trees proposed to be removed; shown on plan with an 'X' overlaid on the tree symbol and listed on the tree calculation table.</p> <p>3. Please show all trees on site plan existing, preserved, and proposed for removal greater than 3-inch caliper.</p> <p>4. Denote locations of specimen trees (UDC Article 14 - Definitions). Provide a written explanation for why any specimen tree proposed for removal cannot be retained on site. Specimen trees in fair or better condition proposed for removal require specimen tree recompense (payment or replanting in lieu - UDC Article 12.1.3.B.3. &4).</p> <p>5. Show specimen tree recompense calculations or replanting option with 4-inch caliper trees, location, species, size, and quantity (UDC Article 12.1.6).</p> <p>6. Show tree protection fencing with linetype and label and tree protection detail.</p>			
Water (Water)	Chris Boyd	01/09/2026	12/22/2025	Review Not Required
<i>Comments</i>	This is on Fulton County's Water System.			

REVIEW SESSION FILES:

- 440 Houze Way Site Plan - 11-24-2025.pdf
- legal description 440 Houze Way.pdf
- Letter of Intent.pdf
- Plat 440 Houze Way.pdf
- Property owner signature page.pdf
- Survey 440 Houze Way.pdf
- Tree protectionremoval plan.pdf

REVIEWER	MARKUP	DATE/TIME	FILE NAME	PG #
Isommet	<ol style="list-style-type: none"> 1. Trees proposed for removal in tree protection removal plan email do not match what is shown on the site plan. The sweetgum and cherry proposed to be removed are not shown. 2. Trees proposed to be removed; shown on plan with an 'X' overlaid on the tree symbol and listed on the tree calculation table. 3. Please show all trees on site plan existing, preserved, and proposed for removal greater than 3 inch caliper. 4. Denote locations of specimen trees (UDC Article 14 - Definitions). Provide a written explanation for why any specimen trees proposed for removal cannot be retained on site per UDC Article 12.1.3.B.1). Specimen trees in fair or better condition proposed for removal require specimen tree recompense (payment or replanting in lieu - UDC Article 12.1.3.B.3. &4). 5. Show specimen tree recompense calculations or replanting option (UDC Article 12.1.6). 6. Show tree protection fencing with linetype and label and tree protection detail. 	12/31/2025 6:58 pm	440 Houze Way Site Plan - 11-24-2025.pdf	- 1

Conditional Use Review v.2

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Building Division (Building Division)	Stan Zaverukha	03/09/2026	03/02/2026	Approved
<i>Comments</i>	The applicant shall apply for the required building permit(s) and submit the corresponding construction documents for review, applicable.			
Engineering (Engineering)	Osmany Ordonez	03/09/2026	03/04/2026	Approved with Conditions
<i>Comments</i>	See conditions			
Fire (Fire)	Robert Major	03/09/2026	03/02/2026	In Review
GIS (GIS)	Nancy Velez	03/09/2026	03/05/2026	Approved
<i>Comments</i>	Approved from a GIS perspective.			
P&Z CU (Planning & Zoning)	Angela Rambeau	03/09/2026	03/09/2026	Approved with Conditions
<i>Comments</i>	Additional parking space must be hard surfaced.			

Attachment: ZUSE-1225-000002 440 Houze Way Submittal Summary Report/Comments (Conditional Use for a Carriage House at 440 Houze

Sanitation (Sanitation)	Nick Pezzello	03/09/2026	03/02/2026	Approved
Stormwater (Stormwater)	Adam Watts	03/09/2026	03/09/2026	Approved with Conditions
<i>Comments</i>	Adam Watts, awatts@roswellgov.com I am in the office Monday – Wednesday. To schedule a meeting to discuss the comments, please e-mail me awatts@roswellgov.com. I am also available for unscheduled meetings during the times of 10am - 12pm on Monday and Wednesday. For faster response, please e-mail rather than call.			
Transportation (Transportation)	Serge Osse	03/09/2026	03/02/2026	Approved with Comments
<i>Comments</i>	Transportation recommends approval. (This accessory building does not exceed 1,000 SF of Gross Floor Area (GFA))			
Tree (Tree)	Laura Sommet	03/09/2026	03/06/2026	Approved with Conditions
<i>Corrections</i>	<p>General (Resolved) - 1. Trees proposed for removal in tree protection removal plan email do not match what is shown on the site plan. The sweetgum and cherry proposed to be removed are not shown, for example.</p> <p>2. Trees proposed to be removed; shown on plan with an 'X' overlaid on the tree symbol and listed on the tree calculation table.</p> <p>3. Please show all trees on site plan existing, preserved, and proposed for removal greater than 3-inch caliper.</p> <p>4. Denote locations of specimen trees (UDC Article 14 - Definitions). Provide a written explanation for why any specimen trees proposed for removal cannot be retained on site. Specimen trees in fair or better condition proposed for removal require specimen tree recompense (payment or replanting in lieu - UDC Article 12.1.3.B.3. &4).</p> <p>5. Show specimen tree recompense calculations or replanting option with 4-inch caliper trees, location, species, size, and quantity (UDC Article 12.1.6).</p> <p>6. Show tree protection fencing with linetype and label and tree protection detail.</p>			
Water (Water)	Chris Boyd	03/09/2026	03/02/2026	In Review

Attachment: ZUSE-1225-000002 440 Houze Way Submittal Summary Report/Comments (Conditional Use for a Carriage House at 440 Houze

Items for Mayor and City Council

May 11, 2026



440 Houze Way

ZUSE-1225-000002

Conditional Use for a Carriage House





Location



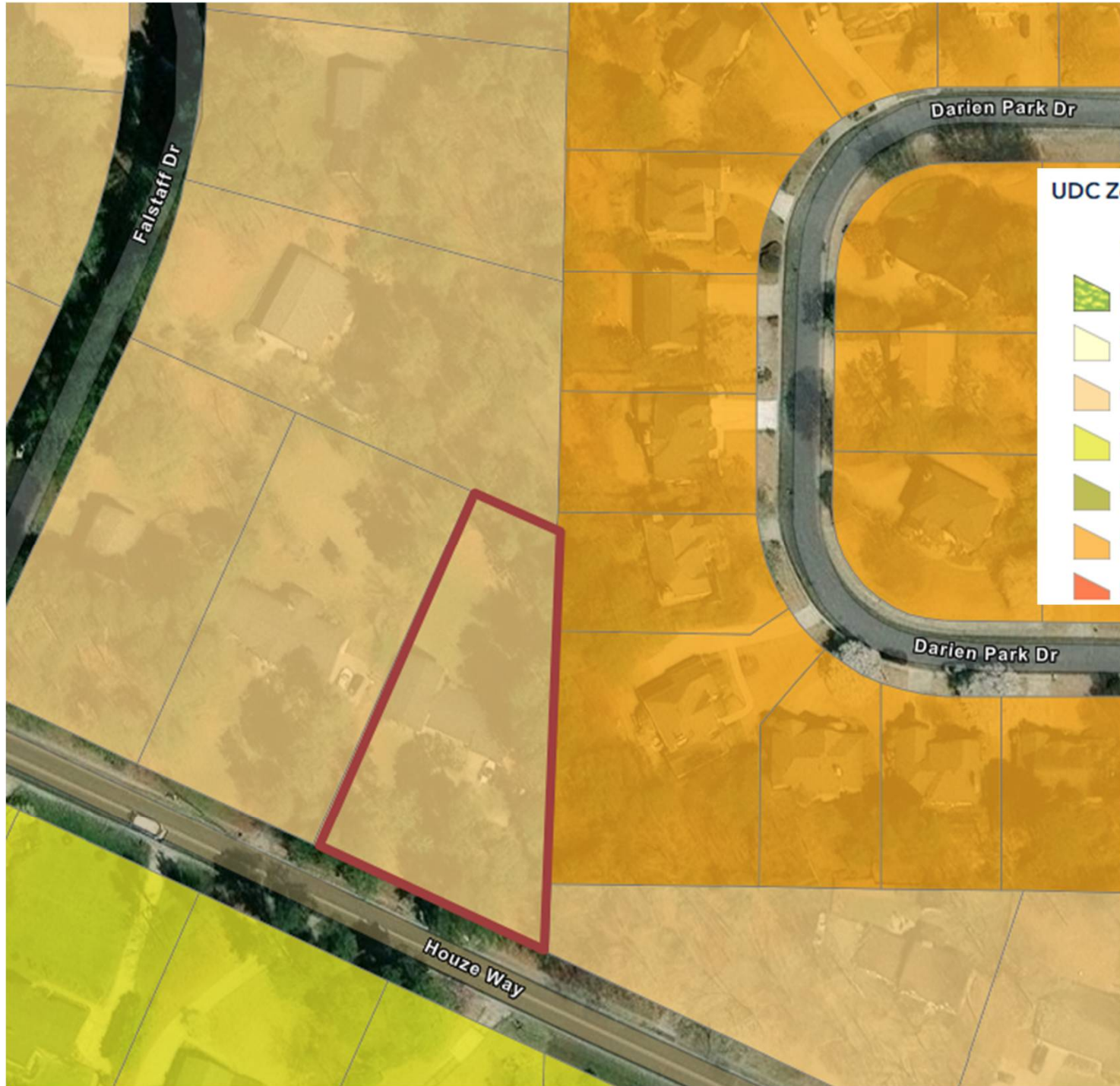
Attachment: Presentation_MCC Meeting 05-11-26_CU for Carriage House 440 Houze Way (Conditional

Site Analysis

- Located at 440 Houze Way, on the north side of Houze Way, west of the intersection of Houze Road and Houze Way
- Property is zoned RS-30 (Single-Family Estate) in the Windsor Forest Subdivision within the Suburban Residential Character Area
- Existing 2,587 sf single-family house on a 0.7 acre lot
- Proposed 986 sf Carriage House
- Extension of existing driveway to Carriage House is to be a pebble surface
- Carriage House is 57.9' to the rear of the main house
- Carriage house is located approximately 22' from the rear and side property lines

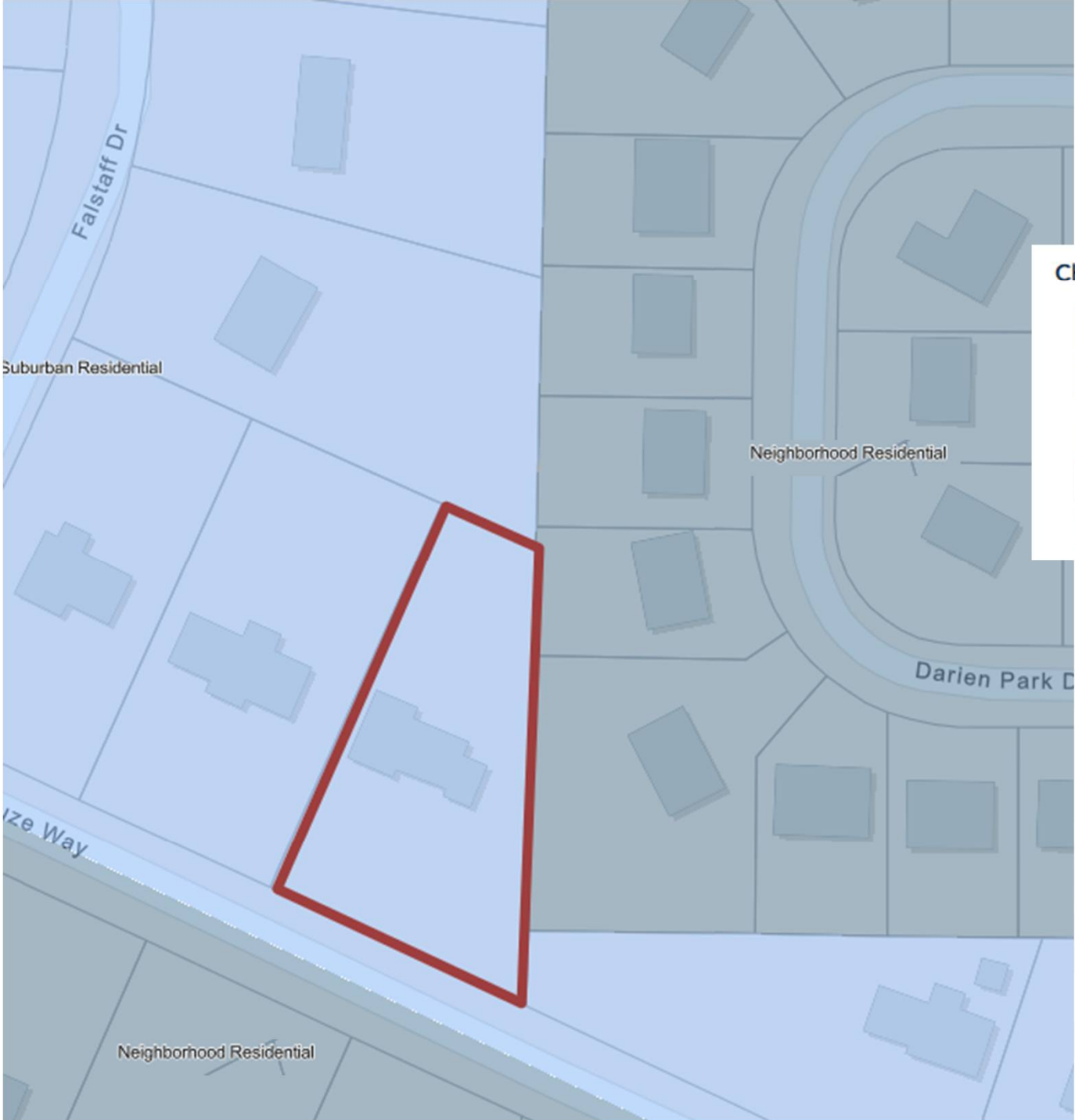


Zoning



Attachment: Presentation_MCC Meeting_05-11-26_CU for Carriage House 440 Houze Way (Conditional

FLU

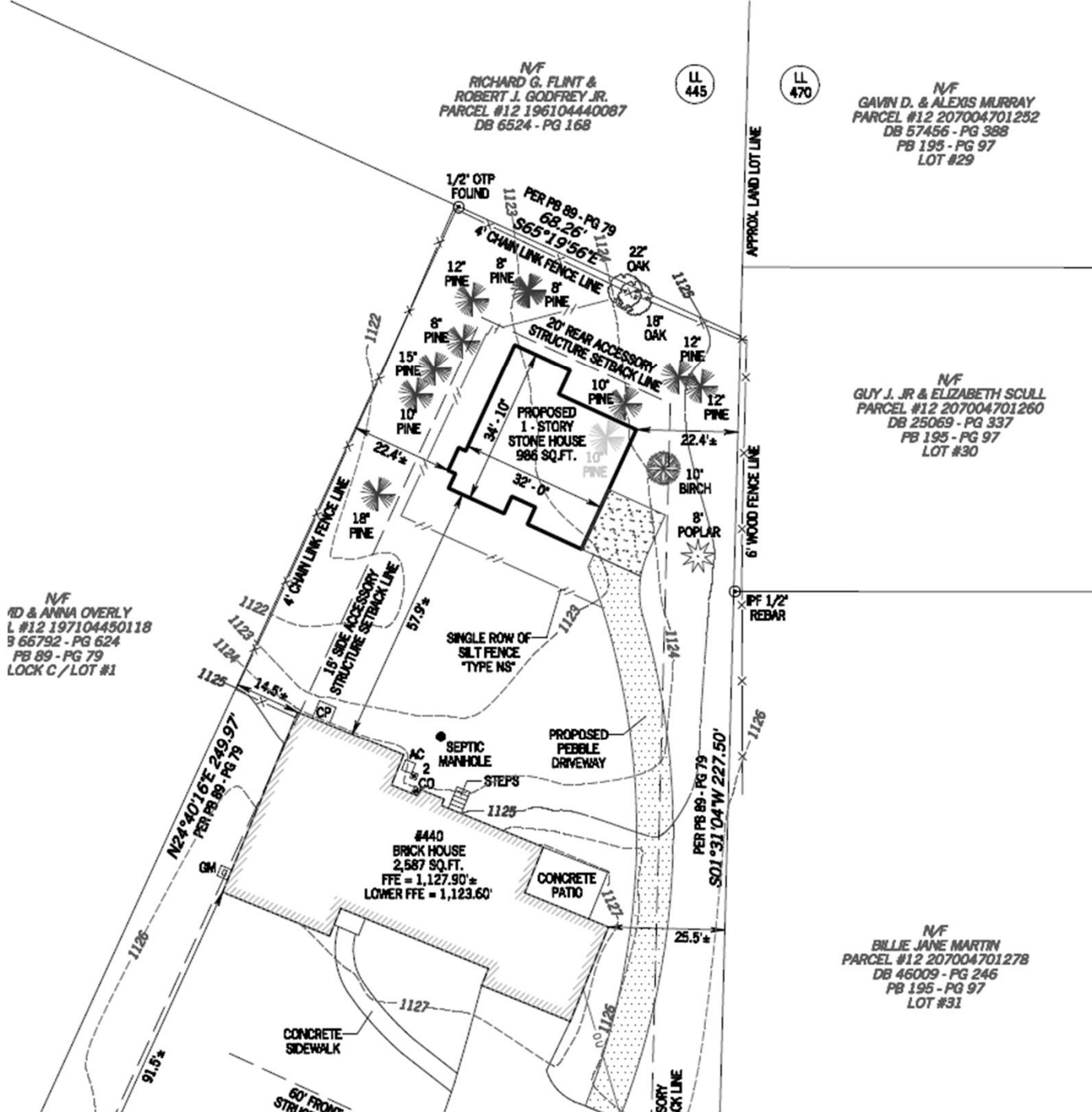


Character Areas

- Estate Residential
- Suburban Residential
- Neighborhood Residential
- Active Neighborhoods
- Neighborhood-Serving Area



Site Plan



Attachment: Presentation_MCC Meeting 05-11-26_CU for Carriage House 440 Houze Way (Conditional

Conditional Use Approval Criteria

1. The use is allowed as a conditional use in the respective zoning district (see Article 3 through 7).
2. The use complies with the applicable specific use standard listed in Article 9, if any, without the granting of any variance.
3. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics.
4. Any adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset.
5. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.



Planning Commission Recommendation

Planning Commission heard the Conditional Use case for a Carriage House at 440 Houze Way on Tuesday, April 21, 2026.

They recommended denial. They stated they believed the application was administrative incomplete and had insufficient documents.

- Administrative incompleteness; related to a Fulton County Health Department approval of the septic system design for the proposed project. This is not a criteria for approval or denial of a conditional use.



Planning Commission Recommendation

- Insufficient documents; related to the Site Plan document presented for the case on which the Surveyor of record provided a boundary note and a recording note. Per legal, there was no deficiency.

- § These notes are typical and are included to protect the integrity of the professional providing site plan information.
- § The surveyor used existing information for the property to provide a survey that serves as the base layer of the site plan for the proposed development. This is not a document that would be recorded.



BOUNDARY NOTE

THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY. THE BOUNDARY INFORMATION SHOWN HEREON WAS PERFORMED BY OTHERS. PLEASE SEE GENERAL NOTES FOR DETAILS.

THIS SURVEY DOES NOT MEET "MINIMUM STANDARDS OF PROPERTY BOUNDARY SURVEYS" AND MERELY REPRESENTS CONDITIONS FOUND ONSITE AT THE TIME OF SURVEY.

RECORDING NOTE

SHOULD NOT BE RECORDED WITH THE FULTON COUNTY CLERK OF SUPERIOR COURT IN CURRENT FORM WITH SITE PLAN SURVEY INFORMATION SHOWN.

Staff Recommendation

Approval of the Conditional Use with the follow condition of approval;

1. Approval shall be in substantial compliance with the site plan received by the City of Roswell on February 24, 2026.



Questions





City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10346

MEETING DATE: May 11, 2026

DEPARTMENT: Community Development

ITEM TYPE: Public Hearing

Approval of an Ordinance to amend the Unified Development Code (UDC) by modifying Article 9 Use Provisions, Section 9.7 Accessory Uses, Section 9.7.12 Horse Stable, Non-Commercial. (First Reading)

Item Summary:

This is the first reading of an ordinance to amend the Unified Development Code (UDC) by modifying Article 9 Use Provisions, Section 9.7 Accessory Uses, Section 9.7.12 Horse Stable, Non-Commercial.

Committee or Staff Recommendation:

The Community Development Department recommends approval.

On April 21, 2026 the Planning Commission recommended Denial, placing this Item on the May 11, 2026 Mayor and Council Agenda.

On March 10, 2026 the Mayor and Council approved initiation of the text amendment.

Financial Impact:

N/A

Recommended Motion:

Motion to approve the first reading of an ordinance to amend the Unified Development Code (UDC) by modifying Article 9 Use Provisions, Section 9.7 Accessory Uses, Section 9.7.12 Horse Stable, Non-Commercial.

Presented by:

Jeannie Peyton, Planning and Zoning Director



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: May 7, 2026

Subject: **Text Amendment to Unified Development Code**
Section 9.7.12 Horse Stable, Non-Commercial

This is a proposed text amendment to Section 9.7.12 of the Unified Development Code (UDC).

The purpose of this revision is to allow the keeping of horses on R-18 property over 15 acres in size, as a limited use.

The revision also states that, any accessory building or structure related to the keeping of horses must be located a minimum of 150 feet from any property zoned or used for residential purposes, for parcels in the AG-43, RS-87, and RS-30 zoning districts; and a minimum of 100 feet from any property zoned or used for residential purposes, for parcels in the RS-18 zoning district. Alternatively, any accessory building or structure related to the keeping of horses, in the RS-18 zoning district, may be located a minimum of 50 feet from any property zoned or used for residential purposes, with additional screening provided.

- i. a 40 foot planted buffer subject to Sec. 10.2.5; or
- ii. a 20 foot screening buffer subject to 10.2.5 and a 6-foot-tall fence subject to 10.2.10.

Public Hearing – Planning Commission

Planning Commission heard proposed text amendment on Tuesday, April 21, 2026. They recommended denial. They stated they believed the case would be better suited as a rezoning for individual properties.

The Community Development Department recommends approval of this text amendment.

38 Hill Street, Roswell, GA 30075
www.roswellgov.com

ORDINANCE TO AMEND ARTICLE 9 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROSWELL REGARDING HORSE STABLE, NON-COMMERCIAL

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 9, Use Provisions, Section 9.7. - Accessory Uses, Section 9.7.12. - Horse Stable, Non-Commercial, of the Unified Development Code (UDC), which shall read as follows:

1.

Originally proposed TA in red

9.7.12. - Horse Stable, Non-Commercial

- A. Defined.** A structure for sheltering horses for the use and enjoyment of residents of the property.
- B. Use Standards.** Where a horse stable is allowed as a conditional use, it may be permitted subject to Sec. 13.4. and the standards below. Where a horse stable is allowed as a limited use, it is subject to the following:
1. The horse stable may only be used for non-commercial, personal purposes;
 2. The minimum lot size for the keeping of horses is ~~2 acres~~;
 - a. 2 acres, for parcels in the AG-43, RS-87, and RS-30 zoning districts; and
 - b. 15 acres, for parcels in the RS-18 zoning district.
 3. No more than three horses may be kept on the two acres;
 4. An additional 0.5 acres is required for each additional horse kept beyond 3 horses; and
 5. Any accessory building or structure related to the keeping of horses must be located ~~a minimum of 150 feet from any property zoned or used for residential purposes;~~
 - a. A minimum of 150 feet from any property zoned or used for residential purposes, for parcels in the AG-43, RS-87, and RS-30 zoning districts; and

- b. A minimum of 100 feet from any property zoned or used for residential purposes, for parcels in the RS-18 zoning district. Alternatively, any accessory building or structure related to the keeping of horses, in the RS-18 zoning district, may be located a minimum of 50 feet from any property zoned or used for residential purposes, with the additional screening provided;
 - i. a 40 foot planted buffer subject to Sec. 10.2.5; or
 - ii. a 20 foot screening buffer subject to 10.2.5 and a 6 foot tall fence subject to 10.2.10.

2.

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

3.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the _____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL

Items for Mayor and City Council

May 11, 2026



UDC Section 9.7.12

Horse Stable, Non-Commercial

Problem:

- Horse Stable, Non-Commercial is currently a Permitted, Limited Use on properties over 30,000 SF, that are Zoned RS-30, RS-87, and AG-43.
- There are five (5) properties located in the city that are over 15 acres and currently zoned RS-18;
 - RS-18 regulations require a lot size of 18,000 SF.
 - These 5 properties are over 653,400 SF, more than 30X the regulated size.
 - RS-18 properties do not permit Horse Stable, Non-Commercial as a Limited Use, not matter how large the property is.



UDC Section 9.7.12 Horse Stable, Non-Commercial

Solution/Revision:

- Add Horse Stable, Non-Commercial as a Permitted, Limited Use that is regulated by UDC Section 9.7.12
- This would modify UDC Section 3.4.2. to add the L for “Limited Use” to the Use Table in Article 3 - Residential Districts of the UDC;

Use Category Specific Use	RESIDENTIAL												Definition/ Standards
	AG-43	RS-87	RS-30	RS-18	RS-12	RS-9	RS-6	RS-4	R-CC	R-TH	RM-2	RM-3	
Accessory Uses													
Helicopter landing area	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.10
Home occupation	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.11
Horse stable, non-commercial	L	L	L	L	—	—	—	—	—	—	—	—	Sec. 9.7.12
Kennel, hobby	L	L	C	—	—	—	—	—	—	—	—	—	Sec. 9.7.13
Livestock raising	L	L	L	—	—	—	—	—	—	—	—	—	Sec. 9.7.14

Solution/Revision:

- Modify UDC Section 9.7.12- Horse Stable, Non-Commercial;

9.7.12. - Horse Stable, Non-Commercial

A. Defined. A structure for sheltering horses for the use and enjoyment of residents of the property.

B. Use Standards. Where a horse stable is allowed as a conditional use, it may be permitted subject to Sec. 13.4. and the standards below. Where a horse stable is allowed as a limited use, it is subject to the following:

1. The horse stable may only be used for non-commercial, personal purposes;
2. The minimum lot size for the keeping of horses is ~~2 acres~~;
 - a. 2 acres, for parcels in the AG-43, RS-87, and RS-30 zoning districts; and
 - b. 15 acres, for parcels in the RS-18 zoning district.
3. No more than three horses may be kept on the two acres;
4. An additional 0.5 acres is required for each additional horse kept beyond 3 horses; and



Solution/Revision:

- Modify UDC Section 9.7.12- Horse Stable, Non-Commercial;

9.7.12. - Horse Stable, Non-Commercial

5. Any accessory building or structure related to the keeping of horses must be located ~~a minimum of 150 feet from any property zoned or used for residential purposes;~~
 - a. A minimum of 150 feet from any property zoned or used for residential purposes, for parcels in the AG-43, RS-87, and RS-30 zoning districts; and
 - b. A minimum of 100 feet from any property zoned or used for residential purposes, for parcels in the RS-18 zoning district. Alternatively, any accessory building or structure related to the keeping of horses, in the RS-18 zoning district, may be located a minimum of 50 feet from any property zoned or used for residential purposes, with the additional screening provided:
 - i. a 40 foot planted buffer subject to Sec. 10.2.5; or
 - ii. a 20 foot screening buffer subject to 10.2.5 and a 6 foot tall fence subject to 10.2.10.



Planning Commission Recommendation

Planning Commission heard proposed text amendment on Tuesday, April 21, 2026.

They recommended denial. They stated they believed the case would be better suited as a rezoning for individual properties.



Staff Recommendation

Staff recommends approval of the text amendment as proposed





City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10347

MEETING DATE: May 11, 2026

DEPARTMENT: Community Development

ITEM TYPE: Public Hearing

Approval of an Ordinance to amend the Unified Development Code (UDC) by modifying Article 3, Residential Districts, Section 3.4.- Allowed Uses, Section 3.4.2. - Use Table. (First Reading)

Item Summary:

This is the first reading of an ordinance to amend the Unified Development Code (UDC) by modifying Article 3, Residential Districts, Section 3.4.- Allowed Uses, Section 3.4.2. - Use Table.

Committee or Staff Recommendation:

The Community Development Department recommends approval.

On April 21, 2026 the Planning Commission recommended Denial, placing this Item on the May 11, 2026 Mayor and Council Agenda.

On March 10, 2026 the Mayor and Council approved initiation of the text amendment.

Financial Impact:

N/A

Recommended Motion:

Motion to approve the first reading of an ordinance to amend the Unified Development Code (UDC) by modifying Article 3, Residential Districts, Section 3.4.- Allowed Uses, Section 3.4.2. - Use Table.

Presented by:

Jeannie Peyton, Planning and Zoning Director



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: May 7, 2026

Subject: **Text Amendment to Unified Development Code**
Section 3.4.2 Use Table for RS-18

This is a proposed text amendment to Section 3.4.2 of the Unified Development Code (UDC).

The purpose of this revision is to add “horse stable, non-commercial” to the RS-18 use table as a limited use. This will allow the keeping of horses on lots over 15 acres with certain restrictions.

Public Hearing – Planning Commission

Planning Commission heard proposed text amendment on Tuesday, April 21, 2026. They recommended denial. They stated they believed the case would be better suited as a rezoning for individual properties.

The Community Development Department recommends approval of this text amendment.

38 Hill Street, Roswell, GA 30075
www.roswellgov.com

ORDINANCE TO AMEND ARTICLE 3 OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROSWELL REGARDING HORSE STABLE, NON-COMMERCIAL

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 3, Residential Districts, Section 3.4.2. – Use Table, of the Unified Development Code (UDC), which shall read as follows:

1.

Originally proposed TA in red

3.4.2. - Use Table

Use Category Specific Use	RESIDENTIAL												Definition/ Standards
	AG-43	RS-87	RS-30	RS-18	RS-12	RS-9	RS-6	RS-4	R-CC	R-TH	RM-2	RM-3	
Accessory Uses													
Accessory uses not otherwise listed below, as determined by the Zoning Director:	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 9.1.3

Attachment: Ordinance UDC 3.4.2 - Use Table_MCC 051126 (Text Amendment UDC Section 3.4.2- Use Table for RS-18)

Accessory apartment, attached	C	L	L	L	L	—	—	—	—	—	—	—	Sec. 9.7.1
Carriage house (existing lot)	C	C	C	C	C	—	—	—	—	—	—	—	Sec. 9.7.2
Carriage house (lot subdivided after effective date of this code)	C	C	C	C	C	—	—	—	—	—	—	—	Sec. 9.7.2
Car wash	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.3
Donation bin	—	—	—	—	—	—	—	—	—	—	—	L	Sec. 9.7.4
Drive-thru facility	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.5
Family day care home	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.6
Farmers' Market	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.7
Garden	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.8
Greenhouse, non-commercial	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 9.7.9
Helicopter landing area	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.10
Home occupation	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.11
Horse stable, non-commercial	L	L	L	L	—	—	—	—	—	—	—	—	Sec. 9.7.12
Kennel, hobby	L	L	C	—	—	—	—	—	—	—	—	—	Sec. 9.7.13
Livestock raising	L	L	L	—	—	—	—	—	—	—	—	—	Sec. 9.7.14
Outdoor dining	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.15

Attachment: Ordinance UDC 3.4.2 - Use Table_MCC 051126 (Text Amendment UDC Section 3.4.2- Use Table for RS-18)

Outdoor display	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.16
Outdoor kitchen	P	P	P	P	P	P	P	P	P	P	L	L	Sec. 9.7.17	
Outdoor storage, limited	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.18
Outdoor storage, general	—	—	—	—	—	—	—	—	—	—	—	—	—	Sec. 9.7.19
Parking, on-site	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 9.7.21
Poultry raising	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.22
Recreational vehicle parking	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.23
Solar panels, wind turbines, rainwater collection systems	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 9.7.24
Swimming pool	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 9.7.25

Attachment: Ordinance UDC 3.4.2 - Use Table_MCC 051126 (Text Amendment UDC Section 3.4.2- Use Table for RS-18)

2.

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

3.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the _____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL

Attachment: Ordinance UDC 3.4.2 - Use Table_MCC 051126 (Text Amendment UDC Section 3.4.2- Use Table for RS-18)



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10243

MEETING DATE: May 11, 2026

DEPARTMENT: Community Development

ITEM TYPE: Public Hearing

Approval of an Ordinance to amend the Unified Development Code (UDC) by modifying Article 9, Use Provisions, Section 9.6. - Industrial Uses, Section 9.6.6. - Warehouse and Distribution and Article 6, Employment Districts, Section 6.5. - Allowed Uses, Section 6.5.2. - Use Table. (First Reading)

Item Summary:

This is the first reading of an ordinance to amend the Unified Development Code (UDC) by modifying Article 9, Use Provisions, Section 9.6. - Industrial Uses, Section 9.6.6. - Warehouse and Distribution and Article 6, Employment Districts, Section 6.5. - Allowed Uses, Section 6.5.2. - Use Table.

Committee or Staff Recommendation:

On April 21, 2026 the Planning Commission recommended approval with changes and placing this Item on the May 11, 2026 Mayor and Council Agenda.

On March 10, 2026 the Mayor and Council approved initiation of the text amendment.

Financial Impact:

N/A

Recommended Motion:

Motion to approve the first reading of an ordinance to amend the Unified Development Code (UDC) by modifying Article 9, Use Provisions, Section 9.6. - Industrial Uses, Section 9.6.6. - Warehouse and Distribution and Article 6, Employment Districts, Section 6.5. - Allowed Uses, Section 6.5.2. - Use Table as recommended by Planning Commission.

Presented by:

Jeannie Peyton, Planning and Zoning Director



To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: May 7, 2026

Subject: **Text Amendment to Unified Development Code**
Section 9.6.6. – Warehouse and Distribution and Section 6.5.2. – Use
Table

Enclosed please find the proposed amendment to the Unified Development Code, UDC, for ARTICLE 9. – USE PROVISIONS, Sec. 9.6.6. – Warehouse and Distribution and ARTICLE 6. – EMPLOYMENT DISTRICTS, Sec. 6.5.2.-Use Table.

Staff is bringing a text amendment forward for Planning Commission consideration and Mayor and Council approval, that is a revision of the Use Provision for “Warehouse and Distribution” and makes the “Industrial Use, All warehouse and distribution”, a conditional use in the IX, Industrial Flex, Zoning District.

Please reference the attached items for:

UDC ARTICLE 9. – USE PROVISIONS,
Sec. 9.6.6. – Warehouse and Distribution,
the revision of 9.6.6. A. Defined, and
the addition of 9.6.6.C. Use Standards

UDC ARTICLE 6. – EMPLOYMENT DISTRICTS,
Sec. 6.5.2.-Use Table,
the modification of Industrial Uses, All warehouse and distribution in IX

Public Hearing – Planning Commission

Planning Commission heard proposed text amendment on Tuesday, April 21, 2026. They recommended approval, with changes. Those changes are reflected in the ordinance attached to this agenda item.

The Community Development Department recommends approval of this text amendment with the recommended changes from the Planning Commission.

**ORDINANCE TO AMEND CHAPTER 9 AND CHAPTER 6 OF THE UNIFIED
DEVELOPMENT CODE OF THE CITY OF ROSWELL REGARDING WAREHOUSE
AND DISTRIBUTION**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Chapter 9, Use Provisions of the Unified Development Code of the City of Roswell, Georgia is hereby amended by modifying Section 9.6.6, Warehouse and Distribution which shall read as follows:

1.

Originally proposed TA in red; PC recommendation in blue

Sec. 9.6.6. - Warehouse and Distribution

A. **Defined.** A facility involved in the storage or movement of physical goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.

1. Warehouse and Distribution explicitly excludes the following:

- a. Data and digital storage centers
- b. Trailer or box-truck storage as a primary, stand-alone use.

2. Warehouse and Distribution includes the following:

- a. Bulk storage, including nonflammable liquids, cold storage plants, frozen food lockers, household moving and general freight storage.
- b. Distribution of products and merchandise
- c. Parcel services

- d. Transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.
- e. Temporary trailer storage, drop-off lot.

B. **Use Standards.** Where warehouse and distribution is allowed as a limited use, it is subject to the following:

1. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a Type C or D buffer (see Sec. 10.2.4) along all shared property lines, except for abutting warehouse and distribution or light industrial use.
2. Outdoor areas used for the loading, parking, and storage of tractor trailers using a Type C or D buffer (See Sec. 10.2.4) along all property lines abutting a public right-of-way.

C. **Use Standards.** Where warehouse and distribution is allowed in IX – Industrial Flex as a conditional use, it is subject to the following:

1. Property must have direct vehicular access to a state highway.
2. Warehouse maximum size shall be 25,000 square feet, except. ~~W~~warehouse size may exceed 25,000 square feet only if light manufacturing is the principal use on the site and the warehouse serves as accessory to production.

2.

Chapter 6, Employment Districts of the Unified Development Code of the City of Roswell, Georgia is hereby amended by modifying Section 6.5.2 Allowed Uses which shall read as follows:

Sec. 6.5.2 Use table

	OR-	OP-	IX-	IL-	Definition/Standards
Industrial Uses					
All light industrial, except as listed below:	—	—	P	P	9.6.1.A.
Contractors storage	—	—	L	L	9.6.1.C.
Detention center, jail, prison (private)	—	—	—	C	9.6.1.D.
Distillery	—	C	C	C	9.6.1.E.
Microbrewery	—	—	P	P	9.6.1.F.
Winery	—	—	P	P	9.6.1.G.
All light manufacturing	C	P	P	P	9.6.2.A.
All research and development	P	P	P	P	9.6.3.A.
All self-service storage	—	—	—	P	9.6.4.A.
All vehicle service and repair, as listed below:					9.6.5.A.
Car wash	—	—	—	C	9.6.5.B.
Vehicle repair, minor	—	—	L	L	9.6.5.C.
Vehicle repair, major	—	—	L	L	9.6.5.D.
Vehicle repair, commercial vehicle	—	—	—	P	9.6.5.E.
All warehouse and distribution	—	—	P C	P	9.6.6.A.

3.

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

4.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

5..

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the ____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL

Items for Mayor and City Council

May 11, 2026



Warehouse Regulations UDC Text Amendment



Problem Statement

- Research regarding regulations for Data Centers revealed a need to distinguish “**Warehouse**” **uses** from data centers.
- The same review revealed a need to examine the economic strategy for the location of future warehouses or the conversion of existing office into warehouse uses, specifically for properties zoned as “Industrial Flex” (IX).
 - Warehouses serve an important economic function.
 - As a stand-alone use, however, they **do not generate employment activity**. Allowing warehouses on properties better suited for commercial or employment-intensive manufacturing represents lost opportunities for maximizing economic growth opportunities (i.e.an opportunity cost).



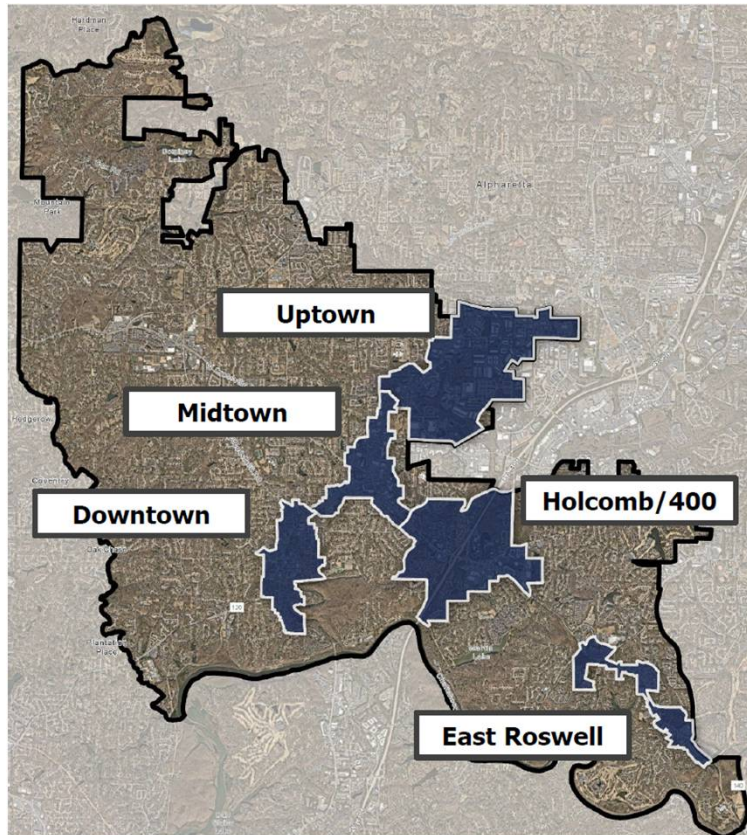
Time Line

- **Jan 13th** : Committee Meeting. Mayor and Council initiated a text amendment
- **Apr 21st**: Planning Commission. Public Hearing.
- **May 11th**: Mayor and Council. Public Hearing and 1st Read.
- **May 25th** : Mayor and Council. 2nd Read.



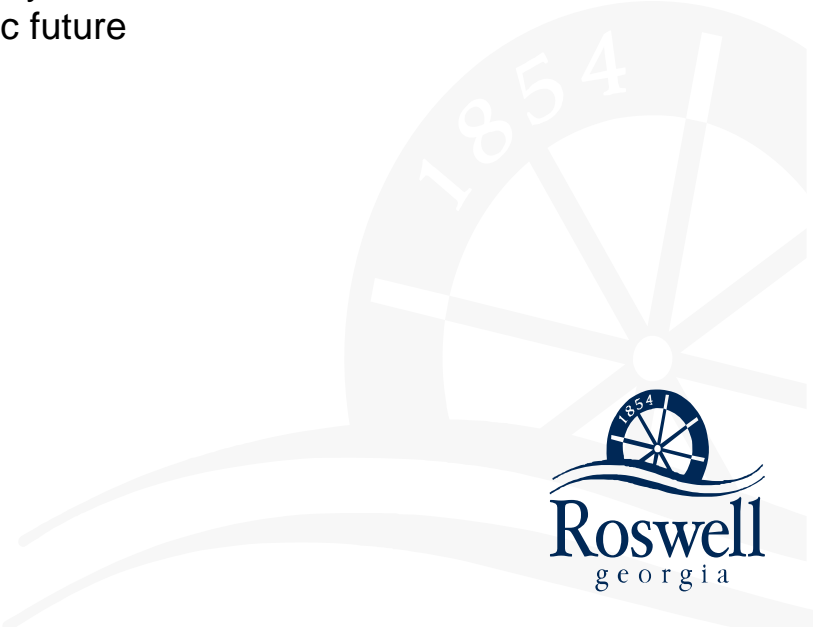
What's at Stake?

Economic Strategy: Target Development in 5 Activity Centers



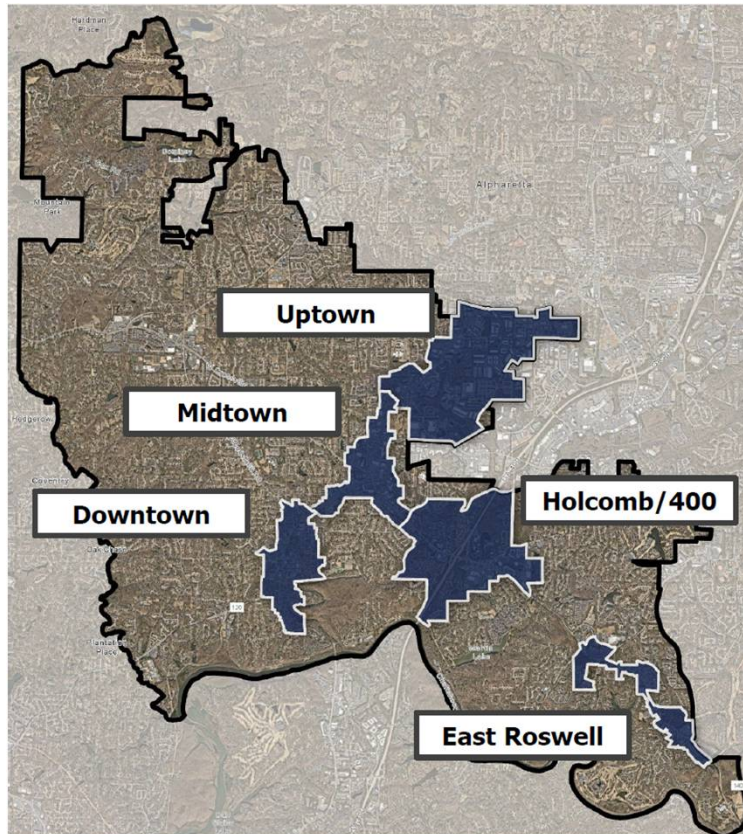
Roswell's economic future is tied to these five Activity Centers.

The "Core" areas within each are the keys to Roswell's economic future



What's at Stake?

Current Comprehensive Plan ("2040") Vision



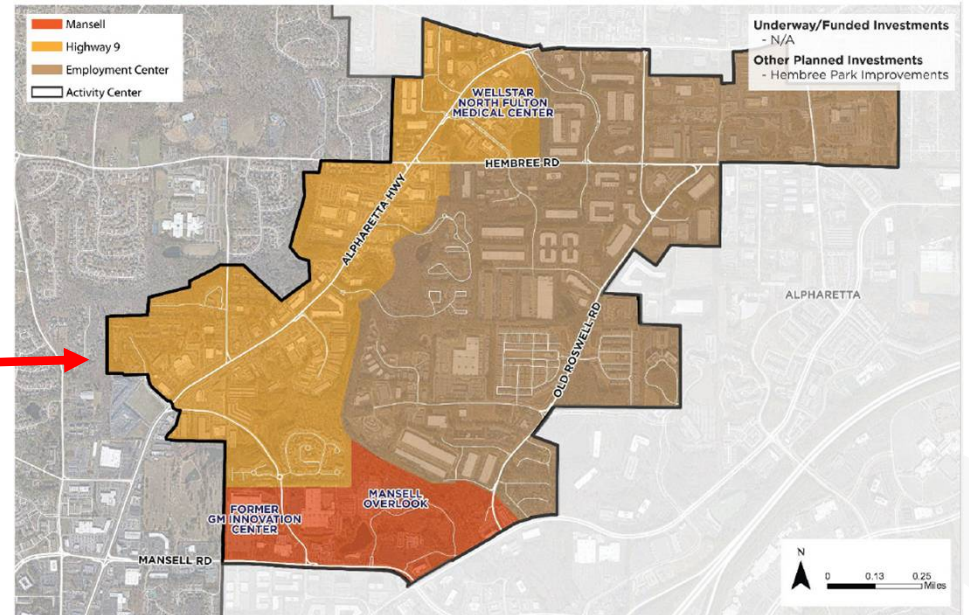
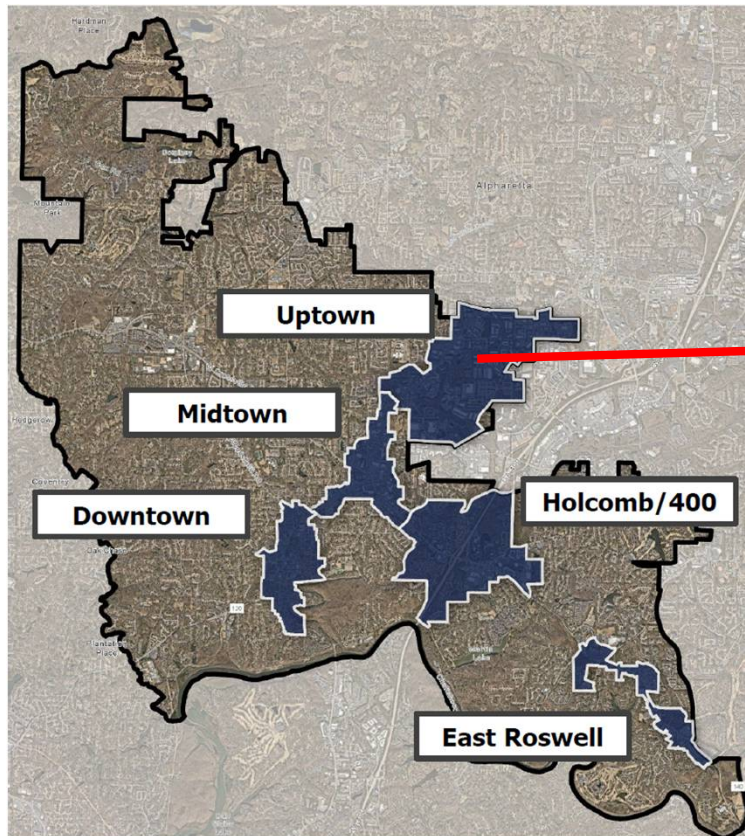
The new “Uptown” Activity Center is comprised of “Industrial/ Flex” and “Hwy 9 Corridor” in the current Comprehensive Plan.

Industrial/Flex Vision:

“[I]ndustrial and heavy commercial development will continue...allowing transitions to new uses as economic demand changes. These new uses may include mixed residential and office development. [I]t is ideally situated to continue to function as an employment center”



Comprehensive Growth Plan (2045): 5 Activity Centers

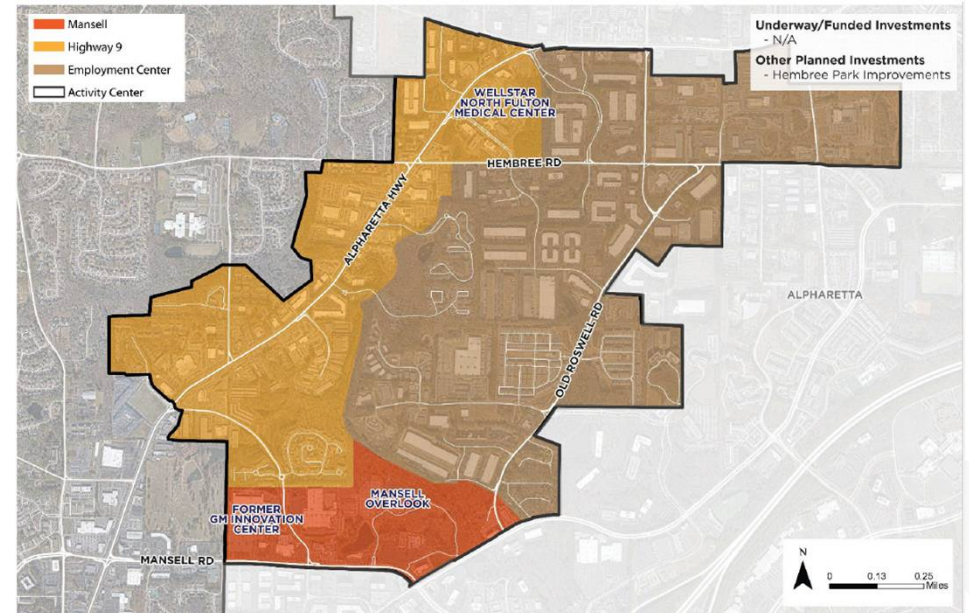


Uptown Activity Center



Uptown Activity Center - Vision

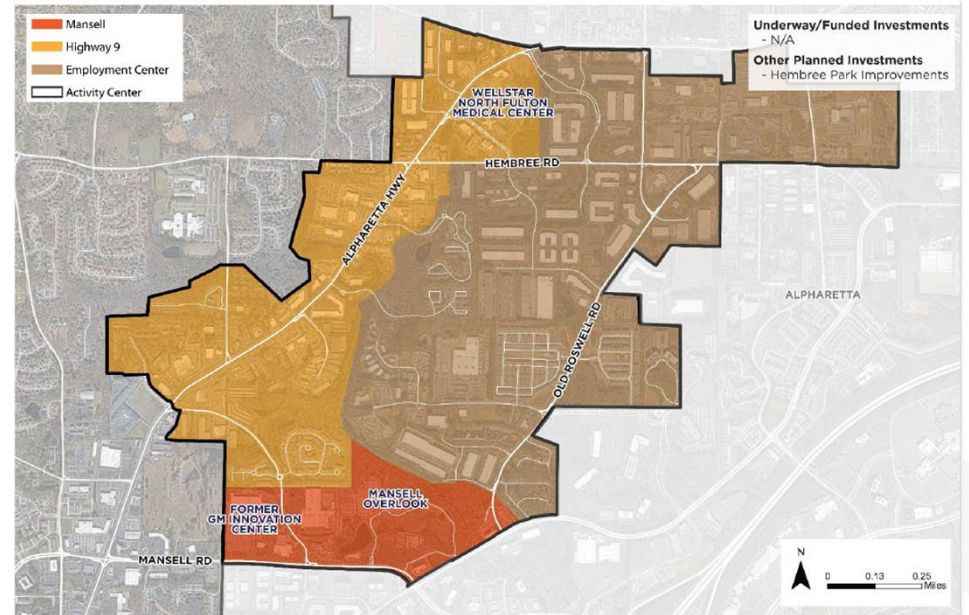
- **Major employment center**
- Northern gateway to the City
- Mix of healthcare, automotive, and industrial uses
- “Mansell” subarea has most redevelopment potential in this area
- “Highway 9” subarea is an automotive and commercial corridor and the northern gateway to the City
- “Employment Center” subarea is the primary jobs cluster within the City



Uptown Activity Center



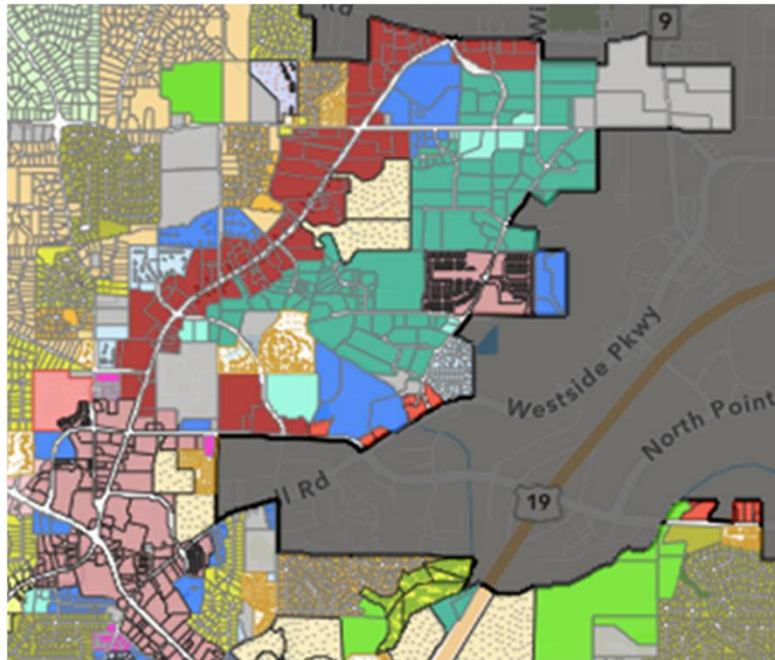
Uptown Activity Center - Vision = **Jobs**




Uptown Activity Center

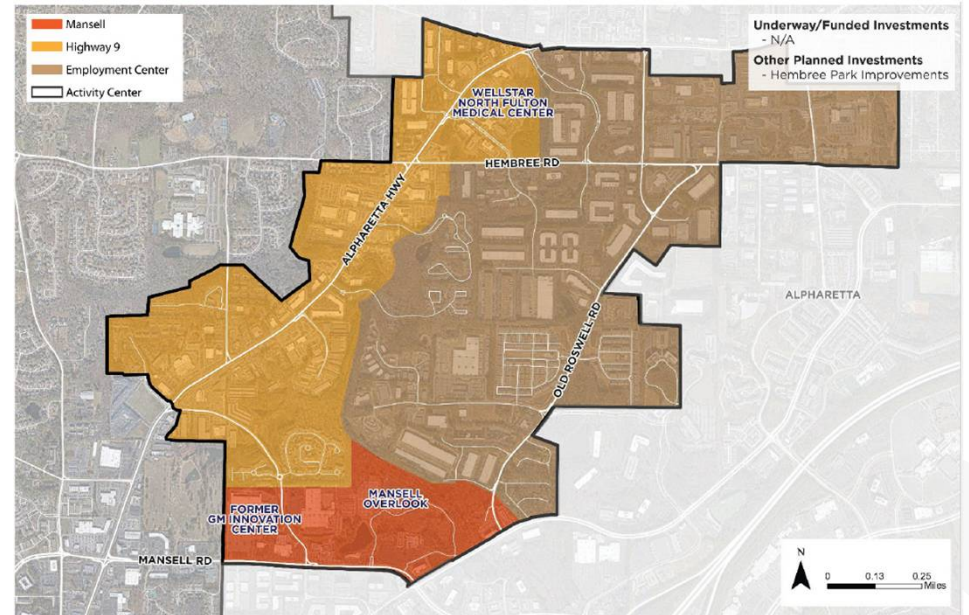


Economic Strategy – Each parcel in Activity Center matters



Zoning Map  = Industrial Flex "IX" District

Zoning needs to implement the vision.
Industrial Flex Zoning Mostly located in
Uptown Activity Center



Uptown Activity Center



Purpose of Text Amendment: 1st - Distinguish from Data Centers

Chapter 9, Use Provisions of the Unified Development Code of the City of Roswell, Georgia is hereby amended by modifying Section 9.6.6, Warehouse and Distribution which shall read as follows:

Sec. 9.6.6. - Warehouse and Distribution

A. **Defined.** A facility involved in the storage or movement of physical goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.

1. Warehouse and Distribution explicitly excludes the following:
 - a. Data and digital storage centers
 - b. Trailer or box-truck storage as a primary, stand-alone use.



Purpose of Text Amendment: 2nd Maximize Employment Opportunities

Chapter 9, Use Provisions of the Unified Development Code of the City of Roswell, Georgia is hereby amended by modifying Section 9.6.6, Warehouse and Distribution which shall read as follows:

Sec. 9.6.6. - Warehouse and Distribution

- A. **Defined.** A facility involved in the storage or movement of physical goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers.
1. Warehouse and Distribution explicitly excludes the following:
 - a. Data and digital storage centers
 - b. Trailer or box-truck storage as a primary, stand-alone use.
 2. Warehouse and Distribution includes the following:
 - a. Bulk storage, including nonflammable liquids, cold storage plants, frozen food lockers, household moving and general freight storage.
 - b. Distribution of products and merchandise
 - c. Parcel services
 - d. Transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred.
 - e. Temporary trailer storage, drop-off lot.



Purpose of Text Amendment: 3rd Conditional Use with Use Standards

C. Use Standards. Where warehouse and distribution is allowed in IX – Industrial Flex as a conditional use, it is subject to the following:

1. Property must have direct vehicular access to a state highway.
2. Warehouse maximum size shall be 25,000 square feet. Warehouse size may exceed 25,000 square feet only if light manufacturing is the principal use on the site and the warehouse serves as accessory to production.



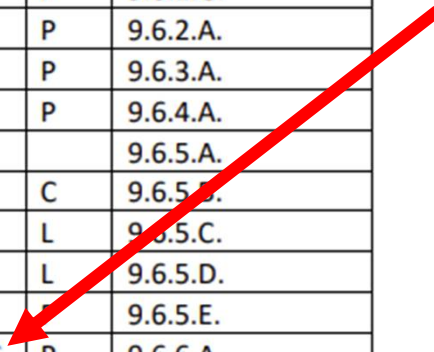
Purpose of Text Amendment: 3rd Conditional Use with Use Standards

Chapter 6, Employment Districts of the Unified Development Code of the City of Roswell, Georgia is hereby amended by modifying Section 6.5.2 Allowed Uses which shall read as follows:

Sec. 6.5.2 Use table

	OR-	OP-	IX-	IL-	Definition/Standards
Industrial Uses					
All light industrial, except as listed below:	—	—	P	P	9.6.1.A.
Contractors storage	—	—	L	L	9.6.1.C.
Detention center, jail, prison (private)	—	—	—	C	9.6.1.D.
Distillery	—	C	C	C	9.6.1.E.
Microbrewery	—	—	P	P	9.6.1.F.
Winery	—	—	P	P	9.6.1.G.
All light manufacturing	C	P	P	P	9.6.2.A.
All research and development	P	P	P	P	9.6.3.A.
All self-service storage	—	—	—	P	9.6.4.A.
All vehicle service and repair, as listed below:					9.6.5.A.
Car wash	—	—	—	C	9.6.5.B.
Vehicle repair, minor	—	—	L	L	9.6.5.C.
Vehicle repair, major	—	—	L	L	9.6.5.D.
Vehicle repair, commercial vehicle	—	—	—	P	9.6.5.E.
All warehouse and distribution	—	—	P-C	P	9.6.6.A.

Text Amendment updates the Industrial Flex (“IX” zoning district to make Warehouse Distribution a Conditional Use with Use Standards for approval



Planning Commission Recommendation: Approval with the changes shown below:

C. Use Standards. Where warehouse and distribution is allowed in IX – Industrial Flex as a conditional use, it is subject to the following:

1. Property must have direct vehicular access to a state highway.
2. Warehouse maximum size shall be 25,000 square feet, ~~except.~~ ~~Warehouse size may exceed 25,000 square feet only if light manufacturing is the principal use on the site and the warehouse serves as accessory to production.~~



Staff Recommendation: Approval

Staff recommends approval of the Text Amendments to Section 6.5.2 Use Table and Section 9.6.6 of the Unified Development Code as recommended by the Planning Commission.





City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10281

MEETING DATE: May 11, 2026

DEPARTMENT: Community Development

ITEM TYPE: Public Hearing

Approval of an Ordinance to amend the Unified Development Code (UDC), by modifying Article 2, Rules of Interpretation, Section 2.2. - Rules Applicable to all Districts, Section 2.2.20. - Residential Parking Location. (First Reading)

Item Summary:

This is the first reading of an ordinance to amend the Unified Development Code (UDC), by modifying Article 2, Rules of Interpretation, Section 2.2. - Rules Applicable to all Districts, Section 2.2.20. - Residential Parking Location

Committee or Staff Recommendation:

On April 21, 2026 the Planning Commission recommended approval with changes and placing this Item on the May 11, 2026 Mayor and Council Agenda.

On March 10, 2026 the Mayor and Council approved initiation of the text amendment.

Financial Impact:

N/A

Recommended Motion:

Motion to approve the first reading of an ordinance to amend the Unified Development Code (UDC), by modifying Article 2, Rules of Interpretation, Section 2.2. - Rules Applicable to all Districts, Section 2.2.20. - Residential Parking Location as recommended by Planning Commission.

Presented by:

Jeannie Peyton, Planning and Zoning Director



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: May 7, 2026

Subject: **Text Amendment to Unified Development Code (UDC)**
Section 2.2.20 Residential Parking Location

This is a proposed text amendment to Section 2.2.20 of the UDC.

Staff has received complaints about residents parking cars, trailers, boats, etc. in the front yard-- on grass and in landscape areas. When Code Compliance investigates, residents dispute parking requirements for the front yard. The Ordinance currently refers to the "front setback"; there is confusion as to what that means.

Staff proposes the following revisions to the Ordinance:

- Change the word "setback" to "yard."
- Clarify that vehicles, including trailers and boats, can only be parked on a hard surface.
- Clarify that no parking is allowed on grass or landscaped areas.
- Add a reference to Section 10.1.14 for commercial parking.

These revisions will help Code Compliance enforce parking regulations.

Public Hearing – Planning Commission

Planning Commission heard proposed text amendment on Tuesday, April 21, 2026. They recommended approval, with changes. Those changes are reflected in the ordinance attached to this agenda item.

The Community Development Department recommends approval of this text amendment with the recommended changes from the Planning Commission.

38 Hill Street, Roswell, GA 30075
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City of Roswell (GA)
 Code Enforcement Division
 P. L. Williams
 Jan 27, 2025 15:46:50
 220 Hembree Road
 Roswell
 Fulton County
 Georgia



City of Roswell (GA)
 Code Enforcement Division
 P. L. Williams
 Feb 4, 2025 13:20:24
 235 Worthington Hills Trace
 Roswell
 Fulton County
 Georgia

38 Hill Street, Roswell, GA 30075
www.roswellgov.com

Attachment: Memo-UDC 2.2.20. Residential Parking Location_MCC 051126 (Text Amendment UDC Section 2.2.20 Residential Parking Location)

STATE OF GEORGIA
COUNTY OF FULTON

First Reading: May 11, 2026
Second Reading:

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE BY
MODIFYING SECTION 2.2.20. RESIDENTIAL PARKING LOCATION**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 2, Rules of Interpretation, Section 2.2. - Rules Applicable to all Districts, Section 2.2.20. - Residential Parking Location, of the Unified Development Code (UDC), which is incorporated hereby reference.

1.

Originally proposed TA in red; PC recommendation in blue

Section 2.2.20.A. Parking in the Front Setback. shall be amended as follows:

A. **Parking in the Front ~~Setback~~-Yard.**

1. In all detached house, attached house and townhouse lots, parking of any vehicle (including, but not limited to trailers and boats) is allowed only on a hard-surfaced driveway (i.e. asphalt, concrete, gravel, pavers or if approved by the City Engineer, or his/her designee, a turf-reinforced driveway) subject to the limited exception provided by 9.7.23. for Recreational Vehicle Parking. No parking is allowed in any grass, ~~or~~ lawn or landscaped areas. For existing developed parcels that do not currently have a driveway that conforms to the above description, parking would be allowed on the non-compliant surface until such time a development permit is issued for the property. At that time, the property would be required to come into compliance with all applicable code requirements.

2. Combined parking and driveway area cannot constitute more than 40% of the area between the front building facade and the front property line.

3. Any parking in the front ~~setback~~ yard must have sufficient depth so that parked cars do not encroach on the sidewalk. Garage doors must be set back at least 20 feet from the sidewalk.

4. For the purposes of this section, 2.2.20.A., Front Yard shall mean Front Yard (as defined in Section 14.2.) and any street facing Side Yard.

2.

Section 2.2.20. shall be amended by adding Section C as follows:

C. Parking requirements for non-residential lots are specified in Section 10.1.14.

3.

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

4.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

5..

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the ____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL

Items for Mayor and City Council

May 11, 2026



Unified Development Code (UDC) Code Enforcement Related Text Amendments



Staff is proposing the following text amendments:

2 amendments to the Unified Development Code

- **Residential front yard parking.** Section 2.2.20 Residential parking location to enforce intent of code regarding parking location
- **Parking on grass.** Section 10.1.14 Parking Lot Layout and Design primarily to more explicitly prohibit parking on grass.

2 amendments to the Code of Ordinances

- **Bulky items causing overflow in dumpsters.** Section 24.6 Special Requirements need to specify that bulk items are prohibited
- **Inoperable vehicle clutter.** Section 22.4.3 Inoperable Motor Vehicle missing specificity that no tags and license considered "inoperable"



UDC Section 2.2.20

Residential Parking Location

Problem:

- Complaints about residents parking cars, trailers, boats, etc. in the front yard-- on grass and in landscape areas.
- Residents dispute parking requirements for the front yard.
- The Ordinance currently refers to the “front setback”—confusion as to what that means.



UDC Section 2.2.20

Residential Parking Location

Solution/Revisions:

- Changes the word “setback” to “yard”
- Clarifies that vehicles, including trailers and boats, can only be parked on a hard surface
- Clarifies that no parking is allowed on grass or landscaped areas
- Adds a reference to Section 10.1.14 for commercial parking



UDC Section 2.2.20

Proposed Text Amendment with PC Recommendations

Originally proposed TA in red; PC recommendation in blue

Section 2.2.20.A. Parking in the Front Setback. shall be amended as follows:

- A. **Parking in the Front ~~Setback~~ Yard.**
1. In all detached house, attached house and townhouse lots, parking of any vehicle (including, but not limited to trailers and boats) is allowed only on a hard-surfaced driveway (i.e. asphalt, concrete, gravel, pavers or if approved by the City Engineer, ~~or his/her designee~~, a turf-reinforced driveway) subject to the limited exception provided by 9.7.23. for Recreational Vehicle Parking. No parking is allowed in any grass, ~~or~~ lawn or landscaped areas. For existing developed parcels that do not currently have a driveway that conforms to the above description, parking would be allowed on the non-compliant surface until such time a development permit is issued for the property. At that time, the property would be required to come into compliance with all applicable code requirements.
 2. Combined parking and driveway area cannot constitute more than 40% of the area between the front building facade and the front property line.
 3. Any parking in the front ~~setback~~ yard must have sufficient depth so that parked cars do not encroach on the sidewalk. Garage doors must be set back at least 20 feet from the sidewalk.
 4. For the purposes of this section, 2.2.20.A., Front Yard shall mean Front Yard (as defined in Section 14.2.) and any street facing Side Yard.
- C. Parking requirements for non-residential lots are specified in Section 10.1.14.**



UDC Section 10.1.14

Parking Lot Layout and Design

Problem:

- Businesses, particularly vehicle sales, park vehicles on grass and in landscaped areas.
- The UDC states that porous pavement material such as grass and grasscrete may be substituted for standard dust-free pavements, "with the approval of the Zoning Director".
- The City lost in municipal court a case that cited a business for parking on grass.
The owner argued that grass was a "dust free" surface.



UDC Section 10.1.14

Parking Lot Layout and Design

Solution/Revisions:

- Changes the term “dust free” to “hard” surface.
- Removes “grass” as an allowed surface material.
- Specifically prohibits the parking of any vehicle, including but not limited to, trailers and boats, on grass and landscaped areas.
- Corrects the wording for the reference to residential parking to match the wording used in that section.
- Corrects the Residential Parking Section number.



UDC Section 10.1.14 Proposed Text Amendment with PC Recommendations

Originally proposed TA in red; PC recommendation in blue

Section 10.1.14.F. Surfacing shall be amended as follows:

F. **Surfacing.** Parking and loading areas must be surfaced with concrete, asphaltic concrete, asphalt, or other improved ~~dust-free~~ ~~hard~~ surfaces or engineered permeable paving system as approved by the Zoning Director and the City Engineer as applicable. Porous pavement material may be used ~~substituted for standard dust-free pavements~~ subject to the approval of the Zoning Director or his/her designee. Permitted materials may include, but are not limited to, ~~grass,~~ "grasscrete," ring, and grid systems in porous or grid pavers. Within the Historic Overlay District, aggregate surface may be considered appropriate. Parking of any vehicle (including but not limited to trailers and boats) on any other surface, including natural grass and landscaped areas, is prohibited.

Section 10.1.14. I Residential Parking shall be amended as follows:

Parking requirements for detached house, attached house and townhouse lots, are specified in Sec. 2.2.~~18~~ 20.



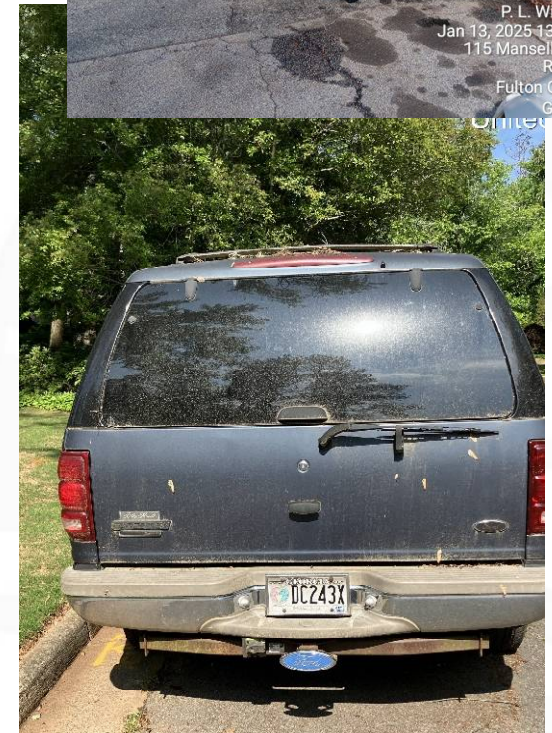
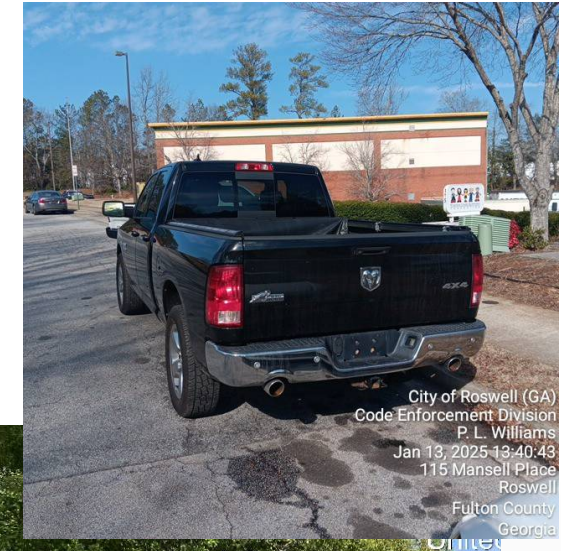
Code of Ordinances (COO) Amendments



COO Section 22.4.3 Inoperable Motor Vehicle

Problem:

- Clarity about "inoperable motor vehicles" is needed
- Current wording does not specify missing tags
- Residents dispute that vehicles are "operable" despite missing plates/tags and allow them to clutter yards and parking lots indefinitely
- Officers lack clear criteria, leading to inconsistent citations and legal challenges.



COO Section 22.4.3 Inoperable Motor Vehicle

Solution/Revision:

- Clarifies meaning of “inoperable vehicle.”
- Replaces vague wording with “either does not display a current license plate with current decals as required by the State of registration or one (1) or more of the following...”
- New wording aligns City Ordinance with IPMC (International Property Maintenance Code) rules.



COO Section 22.4.3 Proposed Text Amendment

Section 22.4.3 Inoperable Motor Vehicle as follows:

As used in this section, "inoperable motor vehicle," shall mean any contrivance or part thereof, propelled by power and used in the transportation of persons or property on public streets and highways, the condition of which the condition of which either does not display a current license plate with current decals as required by the State of registration or is one (1) or more of the following:

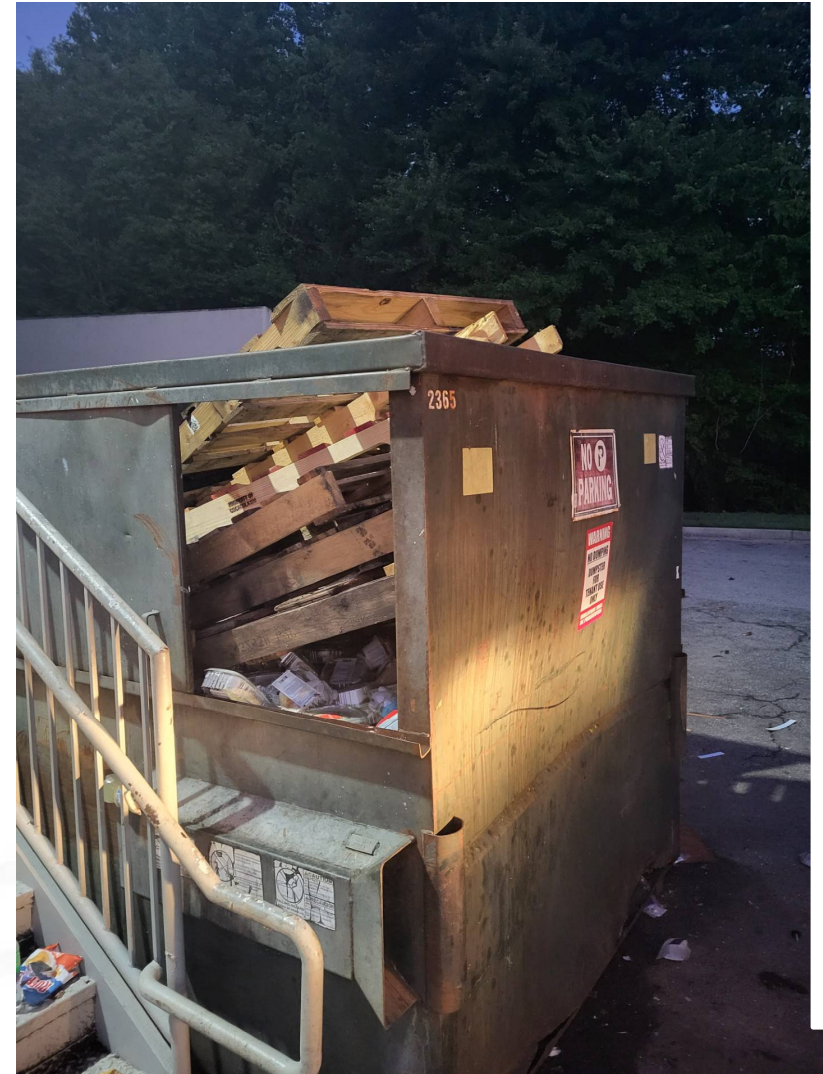
- (a) Wrecked;
- (b) Dismantled;
- (c) Partially dismantled;
- (d) Inoperative;
- (e) Abandoned;
- (f) Discarded.



COO Section 24.3.6 Special Requirements

Problem:

- Business owners/contractors place large, bulky items (furniture, appliances and pallets) into dumpsters
- This causes overflows and impeded collection services
- The Code of Ordinances does not specifically prohibit large, bulky items from City serviced dumpsters.



COO Section 24.3.6 Special Requirements

Solution/Revision:

- Changes the word city “forces” to city “staff.”
- Adds item (d) to specify that large, bulky items shall not be placed in City dumpsters , and that these items must be property disposed of by the property owner or through an approved special collection services.
- Specifies that large bulky items include:
 - Pallets
 - Large furniture
 - Large appliances
 - Other bulky items



COO Section 24.3.6 Proposed Text Amendment

Section 24.3.6. (a) is amended as follows:

- (a) No building materials or refuse from building, remodeling, repair operations or landscape work will be handled by city ~~forces~~ staff. All waste material of this nature shall be removed by the contractor, or in the event of his failure, by the owner of the property; provided, that the owner may make application to the environmental/public works director or his/her designee may, if practical, remove the rubbish at the expense of the owner. The charge made for such service shall be determined in each case with relation to the service performed or if a hardship exists determined by the environmental/public works director or his/her designee.

Section 24.3.6 is amended as follows:

(d) Large, bulky items shall not be placed in City dumpsters. Such items must be properly disposed of by the property owner or through an approved special collection service.

Items include:

- Pallets
- Large furniture (including but not limited to sofas, mattresses, dressers)
- Large appliances
- Other bulky items



Planning Commission Recommendation

Planning Commission heard proposed text amendments on Tuesday, April 21, 2026.

They recommended approval with proposed edits as presented in blue font.



Staff Recommendation

Staff recommends approval of the text amendment as proposed





City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10282

MEETING DATE: May 11, 2026

DEPARTMENT: Community Development

ITEM TYPE: Public Hearing

Approval of an Ordinance to amend the Unified Development Code (UDC) by modifying Article 10 Site Development, Sec. 10.1. - Parking, Section 10.1.14. - Parking Lot Layout and Design. (First Reading)

Item Summary:

This is the first reading of an ordinance to amend the Unified Development Code (UDC) by modifying Article 10 Site Development, Section 10.1. - Parking, Section 10.1.14. - Parking Lot Layout and Design.

Committee or Staff Recommendation:

On April 21, 2026 the Planning Commission recommended approval with changes and placing this Item on the May 11, 2026 Mayor and Council Agenda.

On March 10, 2026 the Mayor and Council approved initiation of the text amendment.

Financial Impact:

N/A

Recommended Motion:

Motion to approve the first reading of an ordinance to amend the Unified Development Code (UDC) by modifying Article 10 Site Development, Section 10.1. - Parking, Section 10.1.14. - Parking Lot Layout and Design as recommended by Planning Commission.

Presented by:

Jeannie Peyton, Planning and Zoning Director



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: May 7, 2026

Subject: **Text Amendment to Unified Development Code (UDC)**
Section 10.1.14 - Parking Lot Layout and Design

This is a proposed text amendment to Section 10.1.14 of the UDC.

Businesses, particularly vehicle sales uses, are parking vehicles on grass and in landscaped areas. The UDC states that porous pavement material such as grass and grasscrete may be substituted for standard dust-free pavements, "with the approval of the Zoning Director". The City lost a court case that cited a business for parking on grass. The owner argued that grass was a "dust free" surface.

Staff proposes the following revisions to the Ordinance:

- Change the term "dust free" to "hard" surface.
- Remove "grass" as an allowed surface material.
- Specifically prohibit the parking of any vehicle, including but not limited to trailers and boats, on grass and landscaped areas.
- Correct the wording for the reference to residential parking to match the wording used in that section.
- Correct the Residential Parking Section number.

These changes will assist Code Compliance in their enforcement of parking regulations.

Public Hearing – Planning Commission

Planning Commission heard proposed text amendment on Tuesday, April 21, 2026. They recommended approval, with changes. Those changes are reflected in the ordinance attached to this agenda item.

The Community Development Department recommends approval of this text amendment with the recommended changes from the Planning Commission.

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STATE OF GEORGIA
COUNTY OF FULTON

First Reading: May 11, 2026
Second Reading:

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE BY MODIFYING SECTION 10.1.14. PARKING LOT LAYOUT AND DESIGN.

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Unified Development Code (UDC); and

WHEREAS, the City finds that the regulations contained in this Unified Development Code (UDC) are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

WHEREAS, this Unified Development Code (UDC) has been prepared and considered in accordance with the zoning procedures law, O.C.G.A. 36-66;

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Article 10, Site Development, Section 10.1. – Parking, Section 10.1.14. - Parking Lot Layout and Design, of the Unified Development Code (UDC), which is incorporated hereby reference.

1.

Originally proposed TA in red; PC recommendation in blue

Section 10.1.14.F. Surfacing shall be amended as follows:

F. **Surfacing.** Parking and loading areas must be surfaced with concrete, asphaltic concrete, asphalt, or other improved dust-free hard surfaces or engineered permeable paving system as approved by the Zoning Director and the City Engineer as applicable. Porous pavement material may be used substituted for standard dust-free pavements subject to the approval of the Zoning Director or his/her designee. Permitted materials may include, but are not limited to, ~~grass~~, "grasscrete," ring and grid systems in porous or grid pavers. Within the Historic Overlay District, aggregate surface may be considered appropriate. Parking of any vehicle (including but not limited to trailers and boats) on any other surface, including natural grass and landscaped areas, is prohibited.

2.

Section 10.1.14. I Residential Parking shall be amended as follows:

Parking requirements for detached house, attached house and townhouse lots , are specified in Sec. 2.2.18 20.

3.

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

4.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

5..

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the _____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL

Attachment: Ordinance 10.1.14 Parking Lot Layout and Design (First Reading)_MCC 051126 (Text Amendment UDC Section 10.1.14 Parking Lot



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10288

MEETING DATE: May 11, 2026

DEPARTMENT: Community Development

ITEM TYPE: Public Hearing

Approval of an Ordinance to amend the Code of Ordinances by modifying Chapter 24 Utilities and Services, Article 24.3 Collection of Commercial Waste, Section 24.3.6 Special Requirements. (First Reading)

Item Summary:

This is an Ordinance to amend the Code of Ordinances by modifying Chapter 24 Utilities and Services, Article 24.3 Collection of Commercial Waste, Section 24.3.6 Special Requirements to clarify what cannot be place in City dumpster's.

Committee or Staff Recommendation:

On March 10, 2026 the Mayor and Council approved initiation of the text amendment.

Financial Impact:

N/A

Recommended Motion:

Approval of the first reading of an Ordinance to amend the Code of Ordinances by modifying Chapter 24 Utilities and Services, Article 24.3 Collection of Commercial Waste, Section 24.3.6 Special Requirements.

Presented by:

Jeannie Peyton, Planning and Zoning Director



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: May 7, 2026

Subject: **Text Amendment to Code of Ordinances**
Section 24.3.6 Special Requirements

This is a proposed text amendment to Section 24.3.6 of the Code of Ordinances (COO).

Business owners/contractors have been placing large, bulky items, including furniture, appliances and pallets, into dumpsters that City staff are responsible for emptying. The Code of Ordinances does not specifically prohibit large, bulky items from being placed in City serviced dumpsters.

In order to address this issue, staff proposes revising the Code of Ordinances to change the word “forces” to “staff.” The revision also adds item (d) to specify that large, bulky items shall not be placed in City dumpsters, and that these items must be properly disposed of by the property owner or through an approved special collection service.

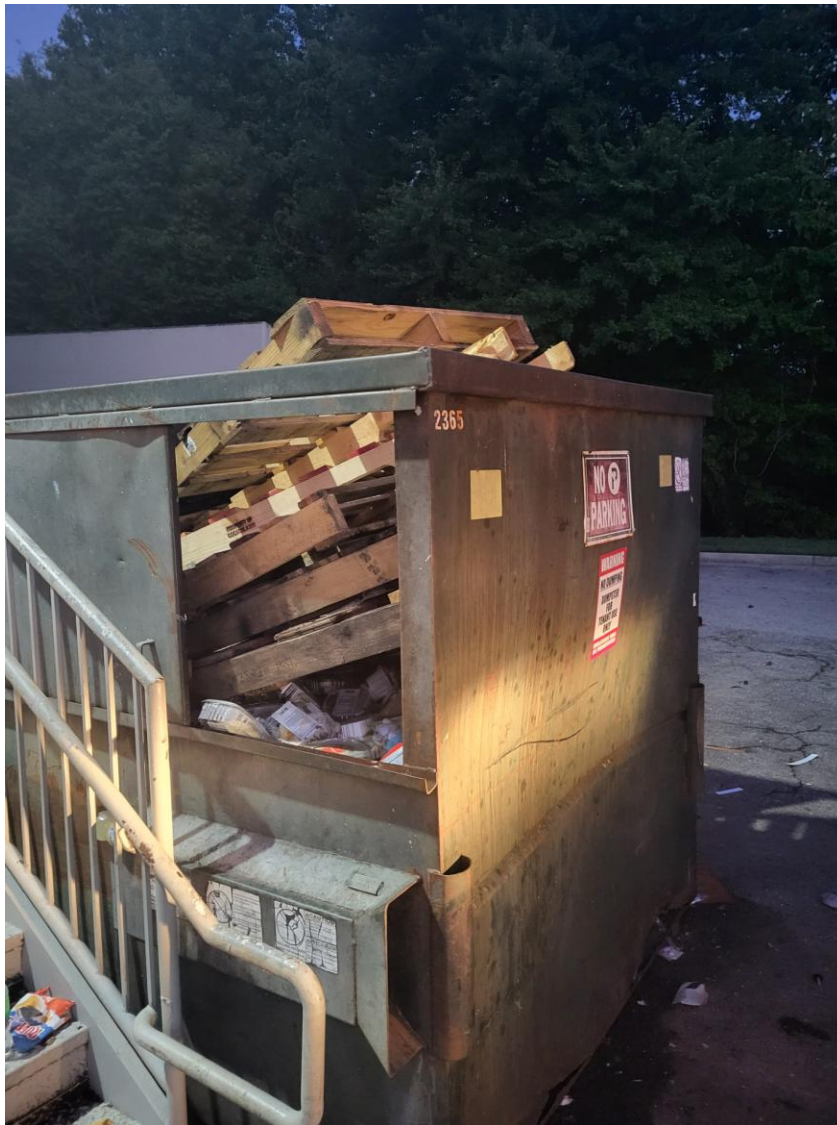
The revised ordinance also specifies that large bulky items include:

- Pallets
- Large furniture
- Large appliances
- Other bulky items

These revisions will assist Code Compliance in their enforcement of dumpster regulations.

The Community Development Department recommends approval of this text amendment.

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STATE OF GEORGIA
COUNTY OF FULTON

First Reading: May 11, 2026
Second Reading:

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES BY MODIFYING
SECTION 24.3.6 SPECIAL REQUIREMENTS.**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Code of Ordinances and

WHEREAS, the City finds that the regulations contained in this Code of Ordinances are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Chapter 24, Utilities and Services, Article 24.3 - Collection of Commercial Waste, Section 24.3.6 - Special Requirements, which is incorporated hereby reference.

1.

Section 24.3.6. (a) is amended as follows:

- (a) No building materials or refuse from building, remodeling, repair operations or landscape work will be handled by city ~~forces~~ staff. All waste material of this nature shall be removed by the contractor, or in the event of his failure, by the owner of the property; provided, that the owner may make application to the environmental/public works director or his/her designee may, if practical, remove the rubbish at the expense of the owner. The charge made for such service shall be determined in each case with relation to the service performed or if a hardship exists determined by the environmental/public works director or his/her designee.

2.

Section 24.3.6 is amended as follows:

(d) Large, bulky items shall not be placed in City dumpsters. Such items must be properly disposed of by the property owner or through an approved special collection service. Items include:

- Pallets
- Large furniture (including but not limited to sofas, mattresses, dressers)

- Large appliances
- Other bulky items

3.

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

4.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

5..

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the ____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL

Attachment: Ordinance 24.3.6 Special Requirements - COO (First Reading)_MCC 051126 (Text Amendment Code of Ordinances Section 24.3.6



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10341

MEETING DATE: May 11, 2026

DEPARTMENT: Community Development

ITEM TYPE: Public Hearing

Approval of an Ordinance to amend the Code of Ordinances by modifying Chapter 22 Traffic and Motor Vehicles, Article 22.4 Motor Vehicles--Operation and Maintenance, Section 22.4.3 Inoperable Motor Vehicle. (First Reading)

Item Summary:

This is an ordinance to amend the Code of Ordinances by modifying Chapter 22 Traffic and Motor Vehicles, Article 22.4 Motor Vehicles--Operation and Maintenance, Section 22.4.3 Inoperable Motor Vehicle to clarify the definition of inoperable motor vehicle.

Committee or Staff Recommendation:

On March 10, 2026 the Mayor and Council approved initiation of the text amendment.

Financial Impact:

N/A

Recommended Motion:

Motion to approve the first reading of an Ordinance to amend the Code of Ordinances by amending Chapter 22 Traffic and Motor Vehicles, Article 22.4 Motor Vehicles--Operation and Maintenance, Section 22.4.3 Inoperable Motor Vehicle.

Presented by:

Jeannie Peyton, Planning and Zoning Director



Memo

To: Mayor and City Council

From: Jeannie Peyton
Planning and Zoning Director

Date: May 7, 2026

Subject: **Text Amendment to Code of Ordinances (COO)**
Section 22.4.3 Inoperable Motor Vehicle

This is a proposed text amendment to Section 22.4.3 of the Code of Ordinances.

Staff has identified the need for clarity concerning "inoperable motor vehicles." Current wording does not specify that missing tags are an indication of an inoperable motor vehicle. Residents argue that vehicles are "operable" despite missing plates/tags and allow them to clutter yards and parking lots indefinitely. Officers lack clear criteria, leading to inconsistent citations and legal challenges.

In order to address this issue, staff proposes revising the Code of Ordinances to clarify the meaning of "inoperable vehicle." The proposed revision replaces vague wording with "either does not display a current license plate with current decals as required by the State of registration or one (1) or more of the following..."

New wording aligns the City Ordinance with IPMC (International Property Maintenance Code) rules.

The Community Development Department recommends approval of this text amendment.

38 Hill Street, Roswell, GA 30075
www.roswellgov.com



City of Roswell (GA)
Code Enforcement Division
P. L. Williams
Jan 13, 2025 10:22:38
1440 Parkmont Drive
Roswell
Fulton County
Georgia



City of Roswell (GA)
Code Enforcement Division
P. L. Williams
Jan 13, 2025 13:40:43
115 Mansell Place
Roswell
Fulton County
Georgia



Apr 28, 2025 at 10:39
11625 Northgate
Roswell GA
United States

38 Hill Street, Roswell, GA 30075
www.roswellgov.com

Modern Spirit. Southern Soul.

STATE OF GEORGIA
COUNTY OF FULTON

First Reading: May 11, 2026
Second Reading:

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES BY MODIFYING
SECTION 22.4.3 INOPERABLE MOTOR VEHICLE.**

WHEREAS, the City of Roswell is a Georgia municipal corporation; and

WHEREAS, the Mayor and Council are the governing authority of the city; and

WHEREAS, the Mayor and Council have determined that it benefits the health, safety and welfare of the citizens of Roswell to amend the Code of Ordinances and

WHEREAS, the City finds that the regulations contained in this Code of Ordinances are necessary for the purposes of implementing its 2040 Comprehensive Plan adopted pursuant to the requirements of the Georgia Planning Act of 1989; and

NOW, THEREFORE, the Mayor and Council of the City of Roswell, Georgia, pursuant to their authority, do hereby amend Chapter 22, TRAFFIC AND MOTOR VEHICLES, Article 22.4 - Motor Vehicles—Operation and Maintenance, Section 22.4.3 - Inoperable Motor Vehicle, which is incorporated hereby reference.

1.

Section 22.4.3 Inoperable Motor Vehicle as follows:

As used in this section, "inoperable motor vehicle," shall mean any contrivance or part thereof, propelled by power and used in the transportation of persons or property on public streets and highways, the condition of which the condition of which either does not display a current license plate with current decals as required by the State of registration or is one (1) or more of the following:

- (a) Wrecked;
- (b) Dismantled;
- (c) Partially dismantled;
- (d) Inoperative;
- (e) Abandoned;
- (f) Discarded.

2.

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

3.

Repeal of Conflicting Provisions. All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

Renumbering. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the ____ day of _____ 2026.

Mary Robichaux, Mayor

Attest:

Nancy Long, City Clerk

SEAL



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10441

MEETING DATE: May 11, 2026
DEPARTMENT: City Attorney's Report
ITEM TYPE: Resolution

Approval of a Resolution authorizing the execution of the Legal Services Agreement related to AFFF/PFAS Litigation Services.

Item Summary:

The City is committed to identifying parties and taking reasonable steps to avoid passing on costs to its consumers for treatment and remediation of contamination. STAG LIUZZA LLC put together a team of uniquely qualified and experienced attorneys (the "Firm") to assist public entities facing the challenges posed by contamination with per- and polyfluoroalkyl substances (PFAS). The Firm is comprised of experienced attorneys in PFAS litigation and representation of public entities and water suppliers in cases involving groundwater contamination.

It is determined to be in the City's best interest to enter into the agreement with the Firm and pursue any claims it may have related to PFAS and execute the Contract for Legal Services AFFF PFAS Litigation.

Committee or Staff Recommendation:

Staff recommends approval.

Financial Impact:

???

Recommended Motion:

Motion to approve a resolution authorizing the execution of the Legal Services Agreement related to AFFF/PFAS Litigation Services.

Presented by:

Presented by Joseph Cusack, Assistant City Attorney

FULTON COUNTY
STATE OF GEORGIA

May 11, 2026

**A RESOLUTION OF THE CITY OF ROSWELL, GEORGIA
AUTHORIZING THE EXECUTION OF THE LEGAL SERVICES' AGREEMENT
RELATED TO AFFF/PFAS LITIGATION SERVICES**

WHEREAS, the City of Roswell, Georgia (“the City”) is committed to delivering clean drinking water to its customers; and

WHEREAS, the City is also committed to identifying parties and taking reasonable steps to avoid passing on the costs to its consumers for the treatment and remediation of contamination; and

WHEREAS, STAG LIUZZA, L.L.C. has put together a team of uniquely qualified and experienced attorneys (the “Firm”) who have joined together to assist public entities facing the challenges posed by contamination with per- and polyfluoroalkyl substances (“PFAS”); and

WHEREAS, the Firm is comprised of experienced attorneys in both in PFAS litigation and in the representation of public entities and water suppliers in cases involving groundwater contamination; and

WHEREAS, the City has determined it to be in the City’s best interest to enter into the Agreement with the Firm and pursue any claims it may have related to PFAS; and

WHEREAS, the City desires to authorize the execution of the Exhibit “A”; and

NOW THEREFORE BE IT RESOLVED that the City Attorney is hereby authorized to execute the Legal Services’ Agreement with the Firm based upon the terms and conditions set forth herein and, in a manner, substantially similar to the Agreement attached hereto as Exhibit “A.”

Mary Robichaux, Mayor
CITY OF ROSWELL

Attest:

Nancy Saviano Long
City Clerk

(seal)

Attachment: Resolution authorizing execution of Legal Services' Agreement related to AFFF-PFAS Litigation Services_051126 (PFAS Litigation

**CONTRACT FOR LEGAL SERVICES
AFFF PFAS LITIGATION**

CITY OF ROSWELL, GEORGIA, represented by **City Attorney David Davidson**, (hereinafter the “Client”) hereby retains, STAG LIUZZA, L.L.C., (through attorney Michael Stag, LLC) and CAROTHERS & MITCHELL, LLC (through attorney Thomas M. Mitchell) (hereinafter the “Attorneys”) for the purpose of providing legal services related to the filing of a civil action and/or claims in the pending settlements for recovery of costs associated with damages to the public drinking water system and/or public wastewater system against Defendants who manufactured, marketed, distributed, and/or sold aqueous film-forming foam (“AFFF”), (hereinafter the “Client’s Claims”).

CLIENT DESIGNATES FOR COMMUNICATION PURPOSES THE FOLLOWING:

Water Department:	<u>Chris Boyd</u>	<u>770-817-6750</u>	<u>cboyd@roswellgov.com</u>
	Name	Telephone	E-mail
Business Matters:	<u>David Davidson</u>	<u>770-594-6183</u>	<u>ddavidson@roswellgov.com</u>
	Name	Telephone	E-mail

Client acknowledges and understands that court ordered deadlines and documentation requirements exist for the pending DuPont and 3M settlements. Client agrees to provide the required documentation and assist in performing testing in a timely matter sufficient to allow Attorneys time to process and file the settlement claim within the court ordered deadlines. Any failure of Client to comply with the testing and documentation requirements of the settlement may result in forfeiture of the Client’s right to recover money from 3M and DuPont. Documentation requirements and deadlines may further apply to settlements currently pending court approval or approved in the future.

The Client specifically authorizes the Attorneys to undertake negotiations, file suit, file settlement claims, or institute legal proceedings necessary on the Client’s behalf. The Client further authorizes the Attorneys to retain and employ the services of any experts, as well as the services of other outside contractors, as the Attorneys deem necessary or expedient in representing the interests of the Client. The Client understands and authorizes Attorneys to share attorney fees with any legal counsel Attorneys choose to associate to assist with providing the legal services contracted herein.

Unless otherwise agreed in writing by Client and Attorneys, Attorneys will not provide legal services with respect to (a) defending any legal proceeding or claim against the Client commenced by any person unless such proceeding or claim is filed against the Client in the Action or (b) proceedings before any federal or state administrative or governmental agency, department, or board including, but not limited to, the United States Environmental Protection Agency. With Client’s permission, however, Attorneys may elect to appear at such administrative proceedings to protect Client’s rights. Client acknowledges that the Attorneys are not tax, regulatory, or bankruptcy legal experts. If Client wishes to retain Attorneys to provide any legal services not provided under this Agreement for additional compensation, a separate written agreement between Attorneys and Client will be required.

The Attorneys are not the attorneys for any officials, officers, agents, employees, attorneys, or consultants of the Client regarding this matter, and shall not become so unless the Attorneys specifically agree in the future in writing to undertake such representation. The Attorneys will confer, as needed, with such persons to perform the services specified in this Agreement, but no attorney-client relationship shall be created with such persons merely because the Attorneys work with and/or request or receive information from any such persons during their representation of the Client.

The Client has disclosed all potential adverse parties to the Attorneys, and neither the Attorneys nor the Client perceive any conflict of interest in the Attorneys undertaking this engagement on behalf of the Client. If either the Client or the Attorneys, during the course of the representation, receive information indicating that a potential conflict of interest may develop or exist, the Client and the Attorneys agree to bring such information to the immediate attention of the other, and the Attorneys shall proceed to take such steps as may be appropriate in the circumstances.

1. ATTORNEYS' FEES. As compensation for legal services, the Client agrees to pay the Attorneys for legal services rendered and to be rendered on account of the Client's Claims, the Client shall pay the Attorneys' fees (hereinafter "Attorneys' Fees"). The Attorneys' Fees shall be one-third (1/3) of the Gross Amount Recovered if the Client's Claims. These Attorneys' Fees shall all be calculated before the deduction of costs and expenses, as set forth in Section 2 herein. "Gross amount recovered" herein means principal, interest, penalties, punitive damages, treble damages, attorney's fees, and all other amounts recovered, including the value of any structured settlement, future payments, or other relief achieved, whether by settlement, judgment or otherwise. "Constituent claims" herein means any one or more claims of the Client constituting less than the entirety of the Client's Claims, including a partial settlement or judgment with less than all defendants. The Client agrees to pay all costs and expenses, as set forth in Section 2 herein, which, in the event of a successful recovery, shall be deducted from the Client's share of that recovery. The Client acknowledges that multiple lawsuits have been filed relating to the same subject matter as Client's Claims. The Client acknowledges that these suits, including any suit for the Client's Claims, might be removed to a federal court as part of multi-district litigation. Further, the Client acknowledges that the court governing the multi-district litigation might appoint committees of attorneys to litigate common issues of law and fact to facilitate the resolution of those lawsuits for common benefit of all claimants, including the Client. As a result, the Client might be obliged to pay from any Gross Amount Recovered a share of its recovery to satisfy an assessment of common benefit fees, costs, and expenses in an amount as determined by the court. Neither the Attorneys nor the Client shall have the right, without the written consent of the other, to settle, compromise, release, discontinue, or otherwise dispose of the Client's Claims.

2. COSTS AND EXPENSES. In addition to paying Attorneys' Fees, in the event of a successful recovery, the Client agrees to reimburse all costs and expenses, as set forth herein only in the event of a successful, sufficient recovery, shall be deducted from the Client's share of that recovery. Attorneys shall advance all litigation expenses on behalf of Client, and Client shall not be responsible for incurring or reimbursing costs of the litigation even if the amount of recovery is less than the costs incurred. Client shall only reimburse litigation costs or expenses in the event of a recovery by settlement or judgment. If no recovery is made, Attorneys shall bear all

unreimbursed costs and expenses incurred, and client shall not be liable for any such costs or expenses incurred by Attorneys. Further, if recovery is insufficient to fully reimburse litigation costs, Attorneys shall bear, and Client shall not be liable for, all costs in excess of the amount of recovery. Subject to the foregoing terms, the Client agrees to reimburse the Attorneys' litigation costs and expenses upon receipt of any settlement funds or collected judgment.

The Attorneys shall have the right and authority, without prior approval of the Client, to incur such litigation costs and expenses as may be necessary or advisable in furtherance of Client's Claims. Litigation costs and expenses may include (but are not limited to) the following: filing fees; deposition costs; expert witness fees; transcript costs; witness fees; subpoena costs; sheriff's and service of process fees; trial consultant fees; mock trial costs; shadow jury fees; mediation fees; court costs; trial exhibit costs; copy costs; photographic, electronic or digital evidence production or presentation; investigation fees; travel expenses; and any other case-specific expenses directly related to the representation undertaken. Additionally, the Client specifically authorizes the Attorneys to charge as recoverable costs such items such as: computer legal research charges (e.g. Westlaw and/or Lexis); long distance telephone expenses; postage charges; Federal Express, UPS, and other delivery service charges; internal photocopying at a rate of \$.30 per page; facsimile costs at a rate of \$.25 per page; and mileage and outside courier charges, all of which must be incurred solely for the purposes of the representation undertaken. Finally, the Client acknowledges that Client will not be charged costs and expenses for any overhead costs of the Attorneys' practice, including office rent; utility costs; charges for local telephone service; office supplies; fixed asset expenses; and ordinary secretarial and staff services.

3. NO GUARANTEE. The Client acknowledges that the Attorneys have made no promise or guarantee regarding the outcome of my legal matter. The Client acknowledges that the Client's Claims may be subject to defenses that could lead to dismissal before, at, or after trial, and no recovery. The Client further acknowledge that the Attorneys shall have the right to cancel this agreement and withdraw from this matter if, in the Attorneys' professional opinion, the matter does not have merit, the Client does not have a reasonably good possibility of recovery, the Client refuses to follow the recommendations of the Attorneys, the Client fails to abide by the terms of this agreement, the Client fails to provide requested information or to produce witnesses to appear for deposition or trial, if the Attorneys' continued representation would result in a violation of the Rules of Professional Conduct, or at any other time as permitted under the Rules of Professional Conduct. No guarantee or representation has been made to the Client as to what type or amount of recovery, if any, may be expected on the Client's Claims.

4. ELECTRONIC DATA COMMUNICATION AND STORAGE. In the interest of facilitating our services to the Client, the Attorneys may communicate by facsimile transmission, send data over the internet, store electronic data via computer software applications hosted remotely on the internet, or allow access to data through third-party vendors' secured portals or clouds. Electronic data that is confidential to the Client may be transmitted or stored using these methods. The Attorneys may use third-party service providers to store or transmit this data. In using these data communication and storage methods, the Attorneys employ measures designed to maintain data security. The Attorneys will use reasonable efforts to keep such communications and data access secure in accordance with the Attorneys' obligations under applicable laws and professional standards. The Attorneys also require all of the Attorneys' third-party vendors to do

the same. However, the Client acknowledges that some information transmitted to the Attorneys will be public records, and the Client has no expectation that public records will be confidential. Client acknowledges that the Attorneys have no control over the unauthorized interception or breach of any communications or data once it has been sent or has been subject to unauthorized access, notwithstanding all reasonable security measures employed by us or our third-party vendors, and the Client consents to our use of these electronic devices and applications and submission of confidential client information to third-party service providers during this engagement.

5. PRIVILEGE. The Client acknowledges that this contract is intended to and does hereby assign, transfer, set over, and deliver unto the Attorneys as its fee for representation of the Client in this matter an interest in the claim(s), the proceeds, or any recovery therefrom under the terms and conditions aforesaid, in accordance with the provisions any state law that applies to this contract.

6. MODIFICATION. It contains the entire and complete understanding between the parties and can only be modified by written amendment signed by all parties.

7. TERMINATION OF REPRESENTATION. The Client acknowledges that the Client has the right to terminate the representation upon written notice to that effect. The Client acknowledges that Client will be responsible for any fees or costs incurred prior to the discharge or termination, based on all the facts and circumstances, including the risk taken by the Attorneys in accepting Client's legal representation on a contingency fee basis. The Client agrees to cooperate with Attorneys and to comply with all reasonable requests of Attorneys. The Client warrants and represents to the Attorneys that all information the Client has provided to, or will in the future provide to, the Attorneys regarding the Client's Claim is true and correct to the best of the Client's knowledge, information, and belief. The Attorneys have the right to withdraw from this representation after giving reasonable notice. If the Attorneys resign, are discharged, or are disqualified or otherwise cease to serve as the Client's legal counsel prior to a settlement or final judgment, then the withdrawing, discharged, or disqualified Attorneys shall receive as compensation for services reasonable fees based on all of the facts and circumstances of its representation. At the conclusion of this matter, the Attorneys will retain the Client's legal files for a period of five (5) years after the Attorneys close their files. At the expiration of the five-year period, the Attorneys may destroy these files unless the Client notifies the Attorneys in writing that the Client wishes to take possession of the files. The Attorneys reserve the right to charge administrative fees and costs associated with retrieving, copying, and delivering such files.

8. ENTIRE AGREEMENT. The undersigned Client Representative has read this agreement, a copy of which he has received, in its entirety and he agrees to and understands the terms and conditions set forth herein. The Client acknowledges that there are no other terms or oral agreements existing between the Attorneys and the Client. This agreement may not be amended or modified in any way without the prior written consent of the Attorneys and the Client.

9. AUTHORITY. The Client acknowledges having been advised to and given the full opportunity to obtain independent representation in the making of this agreement and voluntarily entering into this agreement after such opportunity. The Client representative signing below

represents that the Client enters into this agreement with proper authorization and approval under state and local law, and that the Client representative is specifically authorized to execute this agreement.

EFFECT OF SIGNING

The Client understands that this is a binding legal document. The Client further understands that this Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this Agreement delivered by facsimile, e-mail, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

Date

**DAVID DAVIDSON, CITY ATTORNEY FOR
ROSWELL, GEORGIA**

Date

**MICHAEL STAG, LLC, FOR STAG LIUZZA,
L.L.C.**

Date

**THOMAS M. MITCHELL, FOR CAROTHERS
& MITCHELL, LLC**

Attachment: Exhibit A - Contract for Legal Services AFFF PFAS Litigation__050126 (PFAS Litigation - resolution)



City of Roswell

Mayor and Council

AGENDA ITEM REPORT

ID # - 10438

MEETING DATE: May 11, 2026
DEPARTMENT: City Attorney's Report
ITEM TYPE: Closure

Recommendation to go into Closure following the Committee meeting on Tuesday, May 26, 2026, to Discuss Personnel, Litigation and/or Real Estate.

Item Summary:

Recommendation to go into Closure following the Committee meeting on Tuesday, May 26, 2026 to discuss Personnel, Litigation and/or Real Estate.

Recommended Motion:

Motion to go into Closure following the Committee meeting on Tuesday, May 26, 2026, to Discuss Personnel, Litigation and/or Real Estate.

Presented by:

David Davidson, City Attorney