Greg Whitlock, Mayor
Sarah Y. Park, Post 1
Marline Thomas, Post 2

Lamar Doss, Post 3
Manfred Graeder, Post 4
Shenée Johnson-Cummings, Post 5

AGENDA
MAYOR AND COUNCIL
CITY OF DULUTH, GA
3167 Main Street
Duluth, GA 30096

OCTOBER 12, 2026 CITY HALL COUNCIL CHAMBERS 6:00 pm

The leaders and staff of the City of Duluth are dedicated to ensuring that Duluth is: an Attractive Destination, a Quality Community, a World Class Government, and promotes a Sustainable Economic Environment.

5:30 P.M. – AGENDA REVIEW Main St. Conference Room

6:00 P.M. - CALL TO ORDER Mayor Whitlock or Mayor Pro tem Thomas

INVOCATION OR MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MEETING AGENDA

II. APPROVAL OF MINUTES

III. ANNOUNCEMENTS

1. UPCOMING EVENTS – www.duluthga.net/events

Duluth Live, October: Music every Friday/Sat. Parsons Alley, 6-9pm.

Duluth Farmers & Artisan Market, October – November: 1st & 3rd Sundays

PLEASE NOTE: *This and other City meetings may be audio and/or videotaped for broadcast, transcription and/or archival purposes. As set forth in the Americans with Disabilities act (ADA) of 1990, the City of Duluth government does not discriminate on the basis of disability in the admission or access to or treatment of employment in its programs or activities, and complies with the requirements contained in section 35.107 of the Department of Justice regulations. All agenda packets may be converted to WCAG 2.0 compatibility format by emailing agenda@duluthga.net. In addition, any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program, or activity of the City of Duluth government should be made seven days prior to the event. Direct inquiries to the ADA Coordinator in the City Clerk office, located at 3167 Main Street, Duluth, GA. 30096, or by telephone at 770.476.3434.*

Town Green, 2pm-5pm.

Flicks on the Bricks featuring Coco, October 9, Town Green. 6pm-9pm

Howl on the Green, October 23, Downtown, 6pm-9:30pm

GWB Presents: *Mighty Fine West Coast IPA Fest.* November 7, Town Green. 1-5pm

Red Clay Theatre events – www.eddieowenpresents.com
10/14- Coffin/ Perlson/Krauss with Special guest Bob Lanzetti, 10/15- Admiral Radio, 10/16- LJB Ella Beth & Zoe Wallace, 10/17- Joe Crookston, 10/18- Michelle Shocked, 10/22- Walter Parks & The Unlawful Assembly, 10/24- Girls with Guitars hosted by "Mama Jan" Smith, 10/29- Canyonland, 10/30- The Spirit of Rush, 10/31- Alash.

IV. MATTERS FROM CITIZENS

Maximum of five (5) minutes per person. Sign-up sheet available.

V. CONSENT AGENDA

1. ORDINANCE TO AMEND BUDGET – POLICE SOFTWARE

In the prior fiscal year, Council approved a budget amendment to add $321,000 in General Fund reserves to the Police Department's budget to upgrade the records management systems software. Due to the time and effort involved in the upgrade, the project was not completed nor were final invoices issued until the current fiscal year. The City received 3 project invoices totaling $94,280.50 and is requesting a budget amendment to carry funds forward to complete the project. Approval if this item approves a budget amendment (BA-FY27-08) to add $94,280.50 in General Fund reserves to Police - Police Support Services Division - Support Agreements line item.

2. ORDINANCE TO AMEND BUDGET – TRANSPORTATION

Previously staff requested approval of a budget amendment to cover the cost of small one-off transportation projects. These small one-off projects do not meet the Purchasing Policy requirements for a formal bidding process, but nevertheless have impact on the capital project budget. Funds previously requested are nearly exhausted and need to be replenished to continue operations in a cost effective fashion. Staff is requesting $350,000 in 2023 SPLOST Transportation funds. Approval of this item authorizes ordinance BA-FY27-09 to add $350,000 in 2023 SPLOST Transportation funds to Transportation/Infrastructure Improvements - Paved Streets - Repairs & Maintenance line item, including associated transfers.

3. AWARD OF BID – ORD TO AMEND BUDGET - PIB LANDSCAPING

The Mayor and Council to consider awarding a contract for landscaping along the shoulders of Peachtree Industrial Boulevard near North Berkeley Lake Road. All right of way and easements are in place. The Intergovernmental Agreement with Gwinnett County was executed by the County in July.

The following bids were received:

Select Outdoor Solutions:	$81,482.00
TriScapes:	$144,284.34
Yellowstone Landscape:	$98,165.72

As the lowest qualified bid, staff recommended award to Select Outdoor Solutions in the amount of $81,482.00. In addition, staff is requesting budget amendment BA-FY27-10 to cover the cost of planting, contingency, and oversight by the engineer/landscape architect. The total requested amount is:

$81,482 - contract
$4,074 - 5% for oversight
$8,148 - 10% contingency

TOTAL = $93,704

Approval of this item awards the bid and approves the budget amendment as presented.

VI. PUBLIC HEARINGS

1. ORD OF TEXT AMENDMENT – CASE TA2026-009 – DATA PROCESSING

Mayor and Council to consider an ordinance adjusting the City's Unified Development Code(UDC) Article 2, Table 2-C: Principal Uses Allowed by Zoning District. The goal of the revision is to remove "Data Processing, Hosting and Related Services (NAICS CODE 5182)" from the Office-Institutional (O-I) zoning district, and allow the use in the Heavy Industrial (M-2) Zoning District instead.

2. ORD OF TEXT AMENDMENT – CASE -TA2026-010 – KITCHENS

Mayor and Council to consider an ordinance adjusting the City's Unified Development Code(UDC) Article 3. "Restrictions on Particular Uses Section 304. Standards for Single-Family Detached and Single-Family Attached Dwellings" to add a second kitchen. Similarly, consideration is requested to add a definition of "Kitchen" to Article 14. "Interpretation and Definitions."

VII. OLD BUSINESS

1. APPEALS CASE - V2026-001 - 4168 SUZANNE LANE

The Mayor and Council heard an appeal on September 14 brought forth by Jessica Pappe regarding the keeping of ducks on her property at 4168 Suzanne Lane. Action on the appeal was postponed until tonight's meeting.

VIII. MATTERS FROM DEPT HEADS/CITY ATTORNEY

1. DRONE SHOW PROPOSAL

Staff will present options for a drone show for June 26, 2027. Following the presentation, staff needs direction related to moving forward with securing a contract or continuing to research options.

IX. MATTERS FROM MAYOR & COUNCIL

X. MATTERS FROM CITY MANAGER

XI. EXECUTIVE SESSION (if necessary)

It may be necessary to hold an executive session on Real Estate, Pending/Potential Litigation, or Personnel, which is properly excluded from the Georgia Open and Public Meeting Law (O.C.G.A. 50-14).

XII. ADJOURNMENT

The next scheduled meeting of the Mayor and Council is a work session for October 26, 2026 at 5:30 p.m.

DRAFT MINUTES OF THE
MAYOR AND COUNCIL
CITY OF DULUTH, GA
SEPTEMBER 14, 2026

PRESENT: **Mayor Whitlock, Council members Park, Thomas, Doss, and Graeder, City Manager, Asst. City Managers, Department Directors, City Attorney**

ABSENT: **Councilmember Cummings**

A work session was held prior to the regular scheduled meeting to allow the elected officials to discuss this evening's agenda items. No other items were discussed and no action was taken.

Mayor Whitlock called the meeting to order at 6:00 p.m.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

I. APPROVAL OF MEETING AGENDA

A motion was made by Councilmember Doss, seconded by Councilmember Graeder, to approve the September 14, 2026 Council meeting agenda as presented.

Voted For: **Council members Park, Thomas, Doss, and Graeder**
Motion carried.

II. APPROVAL OF MINUTES

A motion was made by Councilmember Thomas, seconded by Councilmember Park, to approve the August 10 and 24th, 2026 meeting and public hearing minutes as presented.

Voted For: **Council members Park, Thomas, Doss, and Graeder**
Motion carried.

DRAFT

III. ANNOUNCEMENTS

1. UPCOMING EVENTS – www.duluthga.net/events

Duluth Live, September - October: Music every Friday/Sat. Parsons Alley, 6-9pm.

Duluth Farmers & Artisan Market, September – November: 1st & 3rd Sundays Town Green, 2pm-5pm.

Duluth Fall Festival
September 26 & 27, Downtown. Saturday 9am - 7pm, Sunday 9am - 5pm

Dogtoberfest. October 3, Downtown, 5pm-9pm

Flicks on the Bricks featuring Coco, October 9, Town Green. 6pm-9pm

Howl on the Green, October 23, Downtown, 6pm-9:30pm

Red Clay Theatre events – www.eddieowenpresents.com
09/18- Gimme Springsteen Birthday Show
09/19- Georgia Polka Connection
09/20-Oktoberfest, Chris Pierce

IV. MATTERS FROM CITIZENS

Finn Foulger of 2235 Mill Wood Ct. NW, Duluth, spoke on the injustice of the Duluth PD assisting ICE / ICE presence.

Annie Lee of 100 Woodiron Drive, Duluth, spoke on Duluth's relationship with ICE.

Matthew Compton of 3105 Saint Andrews Way, Duluth, spoke on Duluth's relationship with federal agencies.

Marysol Blomerus of 2887 Oxford Way, Duluth, spoke on Duluth's relationship with ICE.

David Randall, 4157 Suzanne Lane, Duluth, spoke in support of Ms. Pappa keeping her ducks.

Carole Gilley of 3423 Wynnewood Lane, Duluth, spoke on Duluth's role in ending partnership with Flock.

Paul Ryden of 3687 W. Lawrenceville Street, Duluth, came forward and expressed concerns about the widening of the sidewalks on W. Lawrenceville Street and asked the Council to consider other options, such as reducing the proposed sidewalk width from 10 feet to a narrower width.

Will Hill of 3812 Chattawood Drive, Duluth, came forward and spoke in favor of the multi-use trail.

V. CONSENT AGENDA

1. ORDINANCE TO AMEND BUDGET – $1M- STORMWATER UTILITY FUND *{A}*

The city recently paid the final invoice to Gwinnett County for the sewer installation in the Hill and Pine Crest communities. The overall project came in under budget, leaving funds in the General Fund that were originally transferred out of the American Rescue Plan Act 2021 (ARPA) fund. Staff is recommending the transfer of $1,000,000 from the General Fund to the Stormwater Utility Fund to be used for stormwater system repairs. Approval of this item authorizes ordinance BA-FY27-07 to amend the FY27 budget as presented

A motion was made by Councilmember Graeder, seconded by Councilmember Doss, to approve the Consent Agenda as presented.

Voted For: Council members Park, Thomas, Doss, and Graeder
Motion carried.

VI. PUBLIC HEARINGS

1. ORDINANCE OF ZONING MODIFICATION- CASE MZ2026-001 - DISTRICT *{B}*

Mayor Whitlock opened the public hearing to consider an ordinance of zoning modification for Case MZ2026-001 for the owner of MFREVF-F-Duluth, LLC and Applicant Ariel Rodriguez Collazo. Parcel number R6293-123. The applicant requested a modification to the Planned Unit Development (PUD) zoning conditions in effect at the District of Duluth to allow for a hair salon (personal care service) as a use by right. The current list of allowable uses does not include personal care services.

Community Development / Engineering Director Margie Pozin presented. She described the project location, surrounding uses, and existing conditions for 3465 Duluth Highway. This request applies to 1600 square footage of live/work space.

The subject property is located in the Downtown Core District Character Area. FORWARDuluth envisions this Character area to be the cultural and entertainment heart of the City and region, celebrating the hometown, historic character while utilizing big city aesthetic and amenities. The Future Land Use Map (FLUM) envisions this parcel as mixed use.

The PUD was approved about 10 years ago, and at the time when the conditions of the PUD were dictated, personal care services were not approved as part of the overall use. At this time, staff does not see a negative consequence with a hair salon or allowing personal care services such as a hair salon to be allowed by right. Four of the 11 live/work units are currently leased; this would make five. Planning commission recommended approval and staff is also recommending approval.

Mayor Whitlock called for questions/comments from the Council. There being none, Mayor Whitlock called for questions/comments from the public.

Being no further questions or comments, Mayor Whitlock closed the public hearing and called for a motion.

A motion was made by Councilmember Graeder, seconded by Councilmember Thomas, to approve ordinance 02026-39 for Case MZ2026-001 as presented.

Voted For: Council members Park, Thomas, Doss, and Graeder
Motion carried.

2. ORDINANCE TO AMEND UDC - CASE TA2026-005 ARTICLES 2 & 14 *{C}*

Mayor Whitlock opened the public hearing to amend the City's Unified Development Code (UDC) Article 2 (Use of Land and Structures, Section 203.05) and Article 14 (Interpretation and Definitions) to clarify the use of accessory structures for outdoor storage.

Community Development/Engineering Director Margie Pozin came forward to present. She noted that this amendment does not prohibit the uses that are already allowed for accessory buildings, but rather it defines the ones that are not yet defined or not adequately defined. She outlined the four things to consider when looking at whether or not a standard code amendment will make sense.

Ms. Pozin further explained that this text amendment adds prohibited accessory buildings or structures to the list of defined accessory buildings and structures. In this case, those prohibited uses would be manufactured homes, mobile homes, freight trailers, boxcars, trailers, shipping containers, and then temporary buildings that were not previously used as vehicles. The goal would be to require any accessory building to be fabricated and intended as an accessory building and to define the above for clarification purposes as part of section 14, which is the glossary. Planning Commission and staff recommend approval.

Mayor Whitlock called for discussion from Council. There being none, the mayor called for questions/comments from the public.

Being no further questions or comments, the mayor closed the public hearing and called for a motion.

A motion was made by Councilmember Thomas, seconded by Councilmember Park, to approve ordinance O2026-27 for Case TA2026-005, Articles 2 and 14, as presented.

Voted For: Council members Park, Thomas, and Doss
Voting Against: Councilmember Graeder
Motion carried.

3. ORDINANCE TO AMEND UDC – CASE TA2026-007 – "HOUSEHOLD" *{D}*

Mayor Whitlock opened public hearing to consider ordinance 02026-40, and called Community Development / Engineering Director, Margie Pozin forward to present.

Council was asked to consider a text amendment to the (UDC) Article 14, Interpretation and Definitions, to amend the definition of "Household." The goal of the revision is to correct an error that remained in the text at the time of the September 2025 UDC adoption and offer a clearer and more limited definition for "Household."

When the Unified Development Code was adopted in September 2025, staff had moved all definitions to Article 14. In some cases, there were two definitions for one word or concept. In this case, there was a definition in Article 2 that was slightly different than the definition in Article 14. The definition in Article 14 was retained and the definition in Article 2 was omitted. This omission was an oversight since staff had assumed both definitions were identical; they were not.

She described the current definition of household, and the proposed replacement as "Household - One or more persons related by blood, marriage, adoption, or guardianship; or not more than three persons not so related who live together in a dwelling unit as a single housekeeping unit, based on an intentionally structured relationship providing organization and stability; or not more than two unrelated persons and any minor children related to either of them."

Planning Commission and staff recommended approval.

Mayor Whitlock called for discussion from Council. Councilmember Thomas was concerned about the difficulty of enforcement.

Mayor Whitlock called for questions/comments from the public. Being no further questions or comments, the Mayor closed the public hearing and called for a motion.

A motion was made by Councilmember Doss, seconded by Councilmember Thomas, to approve ordinance O2026-40 for Case TA2026-007 as presented.

Voted For: Council members Park, Thomas, Doss, and Graeder.
Motion carried.

4. ORDINANCE TO AMEND UDC ARTICLE 2 – INDOOR SPORTS SIMULATORS *{E}*

Mayor Whitlock opened the public hearing and called Community Development/ Engineering Director Margie Pozin forward to present Case TA2026-008.

Council considered an ordinance amending the City's Unified Development Code (UDC) Article 2, Table 2-C: Principal Uses Allowed by Zoning District. The goal of the revision is to allow Indoor Sports Simulators by right, in Highway Commercial - Retail (HC-R) and Highway Commercial - Auto (HC-A) zoning districts located on Buford Highway.

Ms. Pozin reported that there has been some interest from would-be owners of these types of facilities that they would like to perhaps locate them in one or both of those categories. Staff is charged with making sure that the spirit intent of the UDC are met and that this request reasonably promotes public health, safety and general welfare. Both Planning Commission and staff recommend approval.

Mayor Whitlock called for discussion from Council. Being none, the Mayor called for questions/comments from the public.

Being no further questions or comments, the Mayor closed the public hearing and called for a motion.

A motion was made by Councilmember Parks , seconded by Councilmember Graeder, to approve ordinance 02026-41 for Case TA2028-008 as presented.

Voted For: Council members Park, Thomas, Doss, and Graeder.
Motion carried.

4. APPEAL OF CASE V2026-001 – 4168 SUZANNE LANE

Mayor Whitlock opened the public hearing and called forward Community Development/Engineering Director Margie Pozin to present.

The Mayor and Council considered an appeal brought forth by Jessica Pappe regarding the raising and keeping of poultry for non-commercial purposes on her property at 4168 Suzanne Lane. In her case, she has 13 ducks that live on her property and have for quite some time. The original variance request was heard and denied by the Zoning Board of Appeals (ZBA) on July 22, 2026.

The subject property is .44 acres surrounded by similar R75 zoning. Behind that is an RM multifamily townhome community. Traditionally, if there were poultry kept on a property, that would only be allowed in the RA200 zoning category which is agricultural.

Ms. Pozin said the request was also to construct a duck enclosure which would keep the ducks on site. The variance is requested because no structure housing poultry can be closer than 200 feet from a property line, which is not realistically accommodated in R75. There were also some variance standards that the ZBA had to consider, which Council was asked to consider as well. The standards were if:

- Special conditions and circumstances exist which are peculiar to the land structure or buildings involved which are not applicable to other land structures or buildings in the same district.

- The literal interpretation of the provisions of this ordinance would deprive the applicants of rights commonly enjoyed by other properties within the same district under the terms of our UDC.

- That special conditions and circumstances do not result from the actions of the appellant.

- That granting the variance requested will not confer on the appellant any special privilege that is denied by this code to other lands, structures or buildings in the same district.

- That the request is limited to the extent necessary to alleviate the unnecessary hardship and not as a convenience to the appellant nor to gain any advantage or interest over similarly zoned properties.

ZBA considered the following.

- Should the applicant be allowed to keep the ducks on the subject property?
- Should the applicant be allowed to have a 20x10 duck enclosure on her property as outlined in Existence Exhibit B
- How many, if any, ducks should the applicant be allowed to keep on the subject property?

Ultimately, the Zoning Board of Appeals could not find in favor of the applicant based on the five standards governing variances. They denied the request, which led to the applicant's current appeal before mayor and council. The case was first brought to the city as a compliance case by a neighbor's complaint. At that time, it was 14 ducks on the property, specifically due, as the complainant said, to noise, smell and rodents.

Mayor Whitlock called for discussion from Council.

Councilmember Thomas asked about the number of ducks and the enclosure space.

The Mayor called the applicant forward to respond.

Jessica Pappe of 4168 Suzanne Lane came forward to speak on her behalf. She described the circumstances of how she came to have them, their importance to her and the family as pets of her late child, and the continuous emotional support they provide. She noted that the ducks are currently in the front yard, but what is proposed as a coop is already an existing shed on the property. She was unsure of the ages of the ducks since they are rescues, but noted their life expectancy is 10 years. No additional ducks are going to be adopted.

Ms. Kimberly Reed of 4108 Suzanne Lane came forward to report that on their street there is no through traffic, you don't hear the ducks, they are contained, yard is kept clean and managed, and they are not a public nuisance. She spoke in favor of Ms. Pappe keeping the ducks.

Julie Wooten of 60 Harris Road, Mineral Bluff, Georgia. the founder of Waddle on and Rescue Incorporated came forward. She explained her services and expertise in the field. She elaborated on Ms. Pappe's involvement with her organization as well as the rescue efforts that have occurred within Duluth city limits over the last 11 years. She also refuted claims of noise and compared decibel levels of ducks (30) to barking dogs (110) and to chickens (60-70)

Additionally, Ms. Wooten noted that ducks aren't poultry, but waterfowl, and said that ducks are 100% not in the ordinance for Ms. Pappe's property. She also refuted claims of rodents; Ms. Pappe picks up the uneaten food daily, has red shoulder hawks in the area and also has owls, which prey on the rodents.

Ms. Wooten continued describing the type of duck, their lifespan, the care that Ms. Pappe provides for them, and explained that they are ineligible for rehoming. She also noted that her organization rescues many ducks from the area when people "outgrow" them and dump them in public parks and waterways, which has been the case prior in Duluth as well. These ducks are essentially pets of her Ms. Pappe's late child, and she requested they be allowed to live out their natural lives in Duluth with some modifications on the property.

Mayor Whitlock called for questions/comments from the public.

Being no further questions or comments, the Mayor closed the public hearing and called for a motion.

A motion was made by Councilmember Thomas, seconded by Councilmember Doss, to postpone to allow city staff to work with the petitioner and place on the October 12th Mayor and Council meeting agenda.

Voted For: Council members Park, Thomas, Doss, and Graeder
Motion carried.

VII. NEW BUSINESS

1. RESOLUTION - CMAQ GRANT MATCH – MCCLURE BRIDGE TRAIL *{F}*

Community Development / Engineering Director, Margie Pozin came forward to present.

At the Mayor and Council strategic retreat, staff introduced several high-level concepts for projects that will create a more comprehensive trail system within the city. Since that time, staff has researched grant opportunities that align with potential trail projects. The intent is to leverage these grants with locally funded matches such that the City's financial investment is reduced and the value of the trail project(s) is increased.

August 10, 2026, the Mayor and Council approved a resolution to match a Georgia Transportation Infrastructure Bank (GTIB) grant for this same project in the event the City was successful with the recent application. Another grant is available for application at this time and must be submitted before September 17, 2026, for consideration. The Congestion Mitigation and Air Quality (CMAQ) Improvement Program has opened its call for projects for 2026. The CMAQ Program aims to reduce air pollution and traffic congestion by funding transportation projects that meet those goals.

The trail connection currently proposed between the Hudgens Property at Pleasant Hill Road and Downtown Duluth may be a competitive application, and a CMAQ grant could help fund a significant portion of this project. An alternatives analysis is currently underway, with the first public involvement open house meeting to be held on October 8.

Similar to the recent GTIB application, the CMAQ grant application requires a resolution from Council that commits at least 20% of the project cost, which in this case could be derived from the City's SPLOST revenues for transportation. If the City is successful with our recent GTIB grant application, those state funds can be used to match the federally funded CMAQ grant as well, lowering the City's contribution even further.

Preliminary cost estimates show a conservative total project cost of $10.3M. A 20% share would be $2,060,000. If a GTIB grant is not awarded, the City's match would be $2,060,000. If both GTIB and CMAQ grants are awarded for this project, the breakdown of costs would be anticipated to be $500,000 from the City (to cover the GTIB match), $2,000,000 in GTIB dollars, and the balance of the funds in CMAQ dollars.

At that point, we would not require the full $8,240,000 in CMAQ funds and could accept a lesser amount of $7,800,000. Both grant awards are expected to be announced by the end of the calendar year.

These numbers would flex based on actual award(s) by GTIB and CMAQ, actual route selected for design and construction, and changing construction costs over time. Staff is requesting the resolution match assumes a 20% expenditure on the overall cost at this time. That number is $2,060,000.

A motion was made by Councilmember Graeder, seconded by Councilmember Doss, to approve resolution R2026-07 to match the CMAQ grant, should the City be successful in an award.

Voted For: Council members Park, Doss, and Graeder.
Voted Against: Council member Thomas
Motion carried.

IX. MATTERS FROM DEPT HEADS

Parks Director Kathy Marelle reported on Bunten trail improvements.

X. MATTERS FROM MAYOR & COUNCIL

Staff was commended for a well-organized 150th Birthday Celebration. The funds raised from the Dunk Tank were to benefit the Duluth Co-Op.

XII. ADJOURNMENT

A motion was made by Councilmember Thomas, seconded by Councilmember Graeder, to adjourn at 7:35 pm.

Voting for: Council members Park, Thomas, Doss, and Graeder.
Motion carried.

There is no 4th Monday work session in September due to the Duluth 150th and Fall Festival events. The next scheduled meeting of the Mayor and Council is October 12, 2026.

ORDINANCE
TO AMEND THE CITY OF DULUTH
2027 FISCAL YEAR BUDGET

AN ORDINANCE TO AMEND THE 2027 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2027 fiscal year as follows:

Total Revenues:	68,573,643
Operations Expenditures:	43,220,399
Capital Improvement Expenditures:	25,353,244
Total Expenditures:	68,573,643

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth Police Department in the prior fiscal year requested $321,000 in General Funds to upgrade the records management systems software; and

WHEREAS the project was not completed and final invoices were not issued until the current fiscal year with the Police Department receiving 3 invoices totaling $94,280.50 and is requesting a budget amendment to carry funds forward to the current year; and

WHEREAS it is requested $94,280.50 in prior year General Fund reserves be added to Police – Police Support Services Division – Support Agreement line item; and

NOW THEREFORE, the City of Duluth 2027 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	68,667,923
Operations Expenditures:	43,314,679
Capital Improvement Expenditures:	25,353,244
Total Expenditures:	68,667,923

IT IS SO ORDAINED this _____ day of _____, 2026.

_____
Mayor Greg Whitlock

Those councilmembers voting in favor:

_____
Sarah Y. Park, Post 1

_____
Marline Thomas, Post 2

_____
Kenneth Lamar Doss, Post 3

_____
Manfred Graeder, Post 4

_____
Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

_____

_____

_____

ATTEST:_____
Teresa S. Lynn, City Clerk

ORDINANCE
TO AMEND THE CITY OF DULUTH
2027 FISCAL YEAR BUDGET

AN ORDINANCE TO AMEND THE 2027 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2027 fiscal year as follows:

Total Revenues:	68,667,923
Operations Expenditures:	43,314,679
Capital Improvement Expenditures:	25,353,244
Total Expenditures:	68,667,923

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth Public Works Department need additional funds to complete small one-off transportation that don't meet the Purchasing Policy requirements for a formal bidding process, but nevertheless have impact on the capital budget; and

WHEREAS funds previously requested are nearly exhausted and need to be replenished to continue operations in a cost-effective fashion and therefore staff is requesting $350,000 in 2023 SPLOST Transportation Funds; and

WHEREAS it is requested $350,000 in 2023 SPLOST Transportation funds be added to Transportation/Infrastructure Improvements – Paved Streets – Repairs & Maintenance line item, including associated transfers; and

NOW THEREFORE, the City of Duluth 2027 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	69,017,923
Operations Expenditures:	43,314,679
Capital Improvement Expenditures:	25,703,244
Total Expenditures:	69,017,923

IT IS SO ORDAINED this _____ day of _____, 2026.

_____
Mayor Greg Whitlock

Those councilmembers voting in favor:

_____
Sarah Y. Park, Post 1

_____
Marline Thomas, Post 2

_____
Kenneth Lamar Doss, Post 3

_____
Manfred Graeder, Post 4

_____
Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

_____

_____

_____

ATTEST:_____
Teresa S. Lynn, City Clerk

ORDINANCE
TO AMEND THE CITY OF DULUTH
2027 FISCAL YEAR BUDGET

AN ORDINANCE TO AMEND THE 2027 ANNUAL BUDGET FOR THE CITY OF DULUTH, GEORGIA, IN COMPLIANCE WITH THE LAWS OF THE STATE OF GEORGIA.

THE CITY COUNCIL OF THE CITY OF DULUTH HEREBY ORDAINS, the City of Duluth, Georgia, has previously adopted a budget for the 2027 fiscal year as follows:

Total Revenues:	69,017,923
Operations Expenditures:	43,314,679
Capital Improvement Expenditures:	25,703,244
Total Expenditures:	69,017,923

For a balanced budget in compliance with the laws of the State of Georgia.

WHEREAS the City of Duluth has awarded a contract to Select Outdoor Solutions in the amount of $81,482 for landscaping along the shoulders of Peachtree Industrial Boulevard near North Berkeley Lake Road; and

WHEREAS the total project cost including contract award, project oversight and contingency is $94,854 and will be funded with 2017 SPLOST Transportation funds; and

WHEREAS it is requested $94,854 in 2017 SPLOST Transportation funds be added to the following: Landscape Medians – Paved Streets – Professional Services line item $4,124 and Landscape Medians – Paved Streets – Infrastructure line item $90,730, including associated transfers; and

NOW THEREFORE, the City of Duluth 2027 Fiscal Year Budget is amended as follows:

Total Revenues & Prior Yr Reserves	69,112,777
Operations Expenditures:	43,314,679
Capital Improvement Expenditures:	25,798,098
Total Expenditures:	69,112,777

IT IS SO ORDAINED this _____ day of _____, 2026.

_____
Mayor Greg Whitlock

Those councilmembers voting in favor:

_____
Sarah Y. Park, Post 1

_____
Marline Thomas, Post 2

_____
Kenneth Lamar Doss, Post 3

_____
Manfred Graeder, Post 4

_____
Shenée Johnson Cummings, Post 5

Those councilmembers voting in opposition:

_____

_____

_____

ATTEST:_____
Teresa S. Lynn, City Clerk

ORDINANCE O2026-42
CITY OF DULUTH
TO AMEND THE UNIFIED DEVELOPMENT CODE

WHEREAS, the Mayor and City Council of the City of Duluth, Georgia recognize the importance of promoting the community's health, safety and welfare by providing clear, correct, and consistent zoning regulations and compliance with the goals, objectives, and policies identified within the adopted Comprehensive Plan; and

WHEREAS, the Unified Development Code of the City of Duluth, Georgia, specifically authorizes the City Council to amend the text of the City of Duluth Unified Development Code; and

WHEREAS, the Unified Development Code of the City of Duluth, Georgia, grants authority to the Director of Planning and Development to initiate amendments to the text of the City of Duluth Unified Development Code; and

WHEREAS, the Mayor and City Council recognize the importance of ensuring that the regulations promote quality of life in the City; and

WHEREAS, on October 5, 2026, the City of Duluth Planning Commission held a public hearing duly noticed and voted to recommend approval of the text amendment (TA2026-009) as set forth in the minutes of said meeting; and

WHEREAS, the Duluth City Council held a public meeting on October 12, 2026, duly noticed as prescribed by law and published in the Gwinnett Daily Post regarding the text amendments, and voted to approve the text amendment (TA2026-009) as set forth in the minutes of said meeting.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Duluth that the City of Duluth Unified Development Code is hereby amended as attached hereto in Exhibit "A".

BE IT FURTHER ORDAINED that all documents that conflict with anything contained herein are hereby repealed.

ATTACHMENTS:

Exhibit "A": Proposed Text Amendments to the Unified Development Code
Exhibit "B": Public Hearing Advertisement/Public Notice

{Signatures on the Following Page}

IT IS SO ORDAINED this 12th day of October, 2026.

_____
Mayor Greg Whitlock

Those councilmembers voting in favor:

_____
Sarah Y. Park, Post 1

_____
Marline Thomas, Post 2

_____
Kenneth Lamar Doss, Post 3

_____
Manfred Graeder, Post 4

_____
Shenée Johnson-Cummings, Post 5

Those council members voting in opposition: _____

_____

_____

ATTEST: _____
Teresa Lynn, Asst. City Mgr/City Clerk

Exhibit "A"

Current Use Chart:

NAICS 2022	PRINCIPAL USES	CBD	C-1	C-2	HC-Retail	HC-Auto	O-I	O-N	M-1	M-2	RD	*See Also Article 3*	*For Parking, See Table 4-B*
5182	Data Processing, Hosting and Related Services						A		A				c.3

Proposed Use Chart:

NAICS 2022	PRINCIPAL USES	CBD	C-1	C-2	HC-Retail	HC-Auto	O-I	O-N	M-1	M-2	RD	*See Also Article 3*	*For Parking, See Table 4-B*
5182	Data Processing, Hosting and Related Services						A		A	A			c.3

Exhibit “B”

Public Notice Posted in the Gwinnett Daily Post 09/15/2026

GDP2173
gpn16
CITY OF DULUTH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before Mayor and Council to consider a Text Amendment initiated by City of Duluth, Case number TA2026-009. The Text Amendment is regarding updates to the UDC (Unified Development Code) within Article 2: Use of Land and Structure of the Unified Development Code (UDC) and any other pertinent code sections. The public is invited to attend this hearing before Mayor and Council on the proposed Text Amendment. The meeting date, place and time regarding this matter are as follows:

WHEN:
October 12, 2026 - 6:00pm
WHERE:
City Hall Council Chambers
3167 Main Street
Duluth, GA 30096

PERSONS INTERESTED IN THIS MATTER are invited to review the Text Amendment, which is on file with the Department of Planning & Development of the City of Duluth and to attend the public hearing at the date, time and place provided in this notice, to express their opinion on this matter. Written comments may also be received in lieu of testimony during the public hearing. Written comments may be sent to the following address:
City of Duluth
ATTN: Planning Department
3167 Main Street
Duluth, GA 30096
OR
Email:
Planning@duluthga.net

For more information, contact Planning & Development, at (770)476-1790.
****
****
****

In compliance with the Americans with Disabilities Act of 1990, the City of Duluth is committed to providing reasonable accommodations for a person with a disability. Please contact Teresa Lynn at (770) 476-3434 if special program accommodation is necessary and/or if program information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodation can be arranged.
9:20,2026

CITY OF DULUTH
Mayor and Council
Staff Report
October 12, 2026

CASE NUMBER:	TA2026-009
REQUEST:	Text Amendment to Article 2. Use of Land and Structures Table 2-C: Principal Uses Allowed by Zoning District for Data Processing, Hosting and Related Services (NAICS CODE 5182) to be omitted in O-I (Office-Institutional District) and allowed by-right in M-2 (Heavy Industrial District).
APPLICANT:	City of Duluth 3167 Main Street Duluth, GA 30097

Staff Recommendation:	**Approval**
Planning Commission Recommendation:	**Approval**

I. Background:

The Unified Development Code currently allows "Data Processing, Hosting and Related Services" (NAICS CODE 5182) in O-I (Office-Institutional District) and does not allow it in M-2 (Heavy Industrial District). Staff holds that "Data Processing, hosting and related services" does not belong in Office-Institutional zoning, but, rather, in the M-2 (Heavy Industrial Zoning District).

Standards for Code Amendments

The following four standards shall be considered when deciding on a code amendment:

1. Is the proposed amendment consistent with the purpose and intent of this Development Code as stated under Article 1?
2. Does the proposed amendment further or is it compatible with the purpose and intent of the Comprehensive Plan?
3. Is the proposed amendment required to adequately address new or changing conditions or to properly implement the Comprehensive Plan?
4. Does the proposed amendment reasonably promote public health, safety, or general welfare?

II. Description of the Request:

1. *Attached is a redlined copy of the proposed update to Table 2-C: Principal Uses Allowed by Zoning District of the Unified Development Code.*

III. Exhibits

1. Exhibit "A": Redlined copy of the proposed update to *Table 2-C: Principal Uses Allowed by Zoning District of the Unified Development Code.*
2. Exhibit "B": Public Notice

II. Description of the Request

Exhibit "A"

Current Use Chart:

NAICS 2022	PRINCIPAL USES	CBD	C-1	C-2	HC-Retail	HC-Auto	O-I	O-N	M-1	M-2	RD	*See Also Article 3*	*For Parking, See Table 4-B*
5182	Data Processing, Hosting and Related Services						A		A				c.3

Proposed Use Chart:

NAICS 2022	PRINCIPAL USES	CBD	C-1	C-2	HC-Retail	HC-Auto	O-I	O-N	M-1	M-2	RD	*See Also Article 3*	*For Parking, See Table 4-B*
5182	Data Processing, Hosting and Related Services						~~A~~		A	A			c.3

Exhibit "B"
Public Notice Posted in the Gwinnett Daily Post 09/15/2026

GDP2173
gpn16
CITY OF DULUTH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before Mayor and Council to consider a Text Amendment initiated by City of Duluth, Case number TA2026-009.The Text Amendment is regarding updates to the UDC (Unified Development Code) within Article 2: Use of Land and Structure of the Unified Development Code (UDC) and any other pertinent code sections. The public is invited to attend this hearing before Mayor and Council on the proposed Text Amendment. The meeting date, place and time regarding this matter are as follows:

WHEN:
October 12, 2026 - 6:00pm
WHERE:
City Hall Council Chambers
3167 Main Street
Duluth, GA 30096

PERSONS INTERESTED IN THIS MATTER are invited to review the Text Amendment, which is on file with the Department of Planning & Development of the City of Duluth and to attend the public hearing at the date, time and place provided in this notice, to express their opinion on this matter. Written comments may also be received in lieu of testimony during the public hearing. Written comments may be sent to the following address:
City of Duluth
ATTN: Planning Department
3167 Main Street
Duluth, GA 30096
OR
Email:
Planning@duluthga.net

For more information, contact Planning & Development, at (770)476-1790.
****
****
****
In compliance with the Americans with Disabilities Act of 1990, the City of Duluth is committed to providing reasonable accommodations for a person with a disability. Please contact Teresa Lynn at (770) 476-3434 if special program accommodation is necessary and/or if program information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodation can be arranged.
9:20,2026

ORDINANCE O2026-43
CITY OF DULUTH
TO AMEND THE UNIFIED DEVELOPMENT CODE

WHEREAS, the Mayor and City Council of the City of Duluth, Georgia recognize the importance of promoting the community's health, safety and welfare by providing clear, correct, and consistent zoning regulations and compliance with the goals, objectives, and policies identified within the adopted Comprehensive Plan; and

WHEREAS, the Unified Development Code of the City of Duluth, Georgia, specifically authorizes the City Council to amend the text of the City of Duluth Unified Development Code; and

WHEREAS, the Unified Development Code of the City of Duluth, Georgia, grants authority to the Director of Planning and Development to initiate amendments to the text of the City of Duluth Unified Development Code; and

WHEREAS, the Mayor and City Council recognize the importance of ensuring that the regulations promote quality of life in the City; and

WHEREAS, on October 5, 2026, the City of Duluth Planning Commission held a public hearing duly noticed and voted to recommend approval of the text amendment (TA2026-010) as set forth in the minutes of said meeting; and

WHEREAS, the Duluth City Council held a public meeting on October 12, 2026, duly noticed as prescribed by law and published in the Gwinnett Daily Post regarding the text amendments, and voted to approve the text amendment (TA2026-010) as set forth in the minutes of said meeting.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Duluth that the City of Duluth Unified Development Code is hereby amended as attached hereto in Exhibit "A".

BE IT FURTHER ORDAINED that all documents that conflict with anything contained herein are hereby repealed.

ATTACHMENTS:

Exhibit "A": Proposed Text Amendments to the Unified Development Code
Exhibit "B": Public Hearing Advertisement/Public Notice

{Signatures on the Following Page}

IT IS SO ORDAINED this 12th day of October, 2026.

_____
Mayor Greg Whitlock

Those councilmembers voting in favor:

_____
Sarah Y. Park, Post 1

_____
Marline Thomas, Post 2

_____
Kenneth Lamar Doss, Post 3

_____
Manfred Graeder, Post 4

_____
Shenée Johnson-Cummings, Post 5

Those council members voting in opposition: _____

_____

_____

ATTEST: _____
Teresa Lynn, Asst. City Mgr/City Clerk

Exhibit "A"

304.04. Second Kitchen.

A second kitchen in a single-family residence, whether attached or detached, may be permitted only if the following development standards are continuously maintained.

a. Single-Address and meter. The residence shall maintain exactly one street address and no more than one electrical meter.

b. Interior Access. Free, unobstructed interior access shall be maintained to all parts of the residence. No pass-through doors may be permanently locked or blocked off to isolate the second kitchen area.

c. No Exterior Transitions. The second kitchen shall not have a dedicated exterior entrance that circumvents the primary entrance.

d. Under no circumstance shall there be more than two kitchens within a single-family (attached or detached) dwelling unit.

Article Fourteen. Interpretation and Definitions

Residential Kitchen. A dedicated room or area within a dwelling unit equipped with a sink and permanent provisions for food preparation, cooking, storage, and meeting the requirements of the International Building Code for the use for which it is intended.

Exhibit “B”

Public Notice Posted in the Gwinnett Daily Post 09/15/2026

GDP2174
gpn16
CITY OF DULUTH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before Mayor and Council to consider a Text Amendment initiated by City of Duluth, Case number TA2026-010. The Text Amendment is regarding updates to the UDC (Unified Development Code) within Article 14: Interpretation and Definitions and any other pertinent code sections. The public is invited to attend this hearing before Mayor and Council on the proposed Text Amendment. The meeting date, place and time regarding this matter are as follows:

WHEN:
October 12, 2026 - 6:00pm
WHERE:
City Hall Council Chambers
3167 Main Street
Duluth, GA 30096

PERSONS INTERESTED IN THIS MATTER are invited to review the Text Amendment, which is on file with the Department of Planning & Development of the City of Duluth and to attend the public hearing at the date, time and place provided in this notice, to express their opinion on this matter. Written comments may also be received in lieu of testimony during the public hearing. Written comments may be sent to the following address:
City of Duluth
ATTN: Planning Department
3167 Main Street
Duluth, GA 30096
OR
Email:
Planning@duluthga.net

For more information, contact Planning & Development, at (770)476-1790.

****
****
****

In compliance with the Americans with Disabilities Act of 1990, the City of Duluth is committed to providing reasonable accommodations for a person with a disability. Please contact Teresa Lynn at (770) 476-3434 if special program accommodation is necessary and/or if program information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodation can be arranged.

9:20,2026

CITY OF DULUTH
Mayor and Council
Staff Report
October 12, 2026

CASE NUMBER:	TA2026-010
REQUEST:	Text Amendment to Article 3. Restrictions on Particular Uses Section 304. Standards for Single-Family Detached and Single-Family Attached Dwellings to add a second kitchen ordinance to the UDC and add a definition of Kitchen to Article 14. Interpretation and Definitions.
APPLICANT:	City of Duluth 3167 Main Street Duluth, GA 30097

Staff Recommendation:	**Approval**
Planning Commission Recommendation:	**Approval**

I. Background:

The Unified Development Code currently does not have a limit on the number of kitchens a residence may have. This oversight could potentially allow a single-family dwelling (either attached or detached) to become more than a single-family dwelling unit (e.g. a duplex, triplex, quadplex) without changing the exterior façade, which would not be allowed in Single-Family Zoning Districts.

Standards for Code Amendments

The following four standards shall be considered when deciding on a code amendment:

1. Is the proposed amendment consistent with the purpose and intent of this Development Code as stated under Article 1?
2. Does the proposed amendment further or is it compatible with the purpose and intent of the Comprehensive Plan?
3. Is the proposed amendment required to adequately address new or changing conditions or to properly implement the Comprehensive Plan?
4. Does the proposed amendment reasonably promote public health, safety, or general welfare?

II. Description of the Request:

1. *Attached is a redlined copy of the proposed update to Table 2-C: Principal Uses Allowed by Zoning District of the Unified Development Code.*

III. Exhibits

1. Exhibit "A": Redlined copy of the proposed update to *Table 2-C: Principal Uses Allowed by Zoning District of the Unified Development Code.*
2. Exhibit "B": Public Notice

II. Description of the Request

Exhibit "A"

304.04. Second Kitchen.

A second kitchen in a single-family residence, whether attached or detached, may be permitted only if the following development standards are continuously maintained.

a. Single-Address and meter. The residence shall maintain exactly one street address and no more than one electrical meter.

b. Interior Access. Free, unobstructed interior access shall be maintained to all parts of the residence. No pass-through doors may be permanently locked or blocked off to isolate the second kitchen area.

c. No Exterior Transitions. The second kitchen shall not have a dedicated exterior entrance that circumvents the primary entrance.

d. Under no circumstance shall there be more than two kitchens within a single-family (attached or detached) dwelling unit.

Article Fourteen. Interpretation and Definitions

Residential Kitchen. A dedicated room or area within a dwelling unit equipped with a sink and permanent provisions for food preparation, cooking, storage, and meeting the requirements of the International Building Code for the use for which it is intended.

Exhibit "B"
Public Notice Posted in the Gwinnett Daily Post 09/15/2026

GDP2174
gpn16

CITY OF DULUTH
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before Mayor and Council to consider a Text Amendment initiated by City of Duluth, Case number TA2026-010. The Text Amendment is regarding updates to the UDC (Unified Development Code) within Article 14: Interpretation and Definitions and any other pertinent code sections. The public is invited to attend this hearing before Mayor and Council on the proposed Text Amendment. The meeting date, place and time regarding this matter are as follows:

WHEN:
October 12, 2026 - 6:00pm
WHERE:
City Hall Council Chambers
3167 Main Street
Duluth, GA 30096

PERSONS INTERESTED IN THIS MATTER are invited to review the Text Amendment, which is on file with the Department of Planning & Development of the City of Duluth and to attend the public hearing at the date, time and place provided in this notice, to express their opinion on this matter. Written comments may also be received in lieu of testimony during the public hearing. Written comments may be sent to the following address:
City of Duluth
ATTN: Planning Department
3167 Main Street
Duluth, GA 30096
OR
Email:
Planning@duluthga.net

For more information, contact Planning & Development, at (770)476-1790.

****
****
****

In compliance with the Americans with Disabilities Act of 1990, the City of Duluth is committed to providing reasonable accommodations for a person with a disability. Please contact Teresa Lynn at (770) 476-3434 if special program accommodation is necessary and/or if program information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodation can be arranged.

9:20,2026