

Buckhead Council of Neighborhoods Minutes for the July 13, 2023 Meeting

Attending:

Buckhead Council of Neighborhoods	Debra Wathen
Buckhead Condo Alliance	Rebecca King Drake Conner, Evan Fowler
Channing Valley:	Fowler
Collier Hills	Brandon Lowe
Collier Hills North	Mary Kilgo
Cross Creek	Debra Wathen Spencer Stockdale, Steven Shepard
Fernleaf:	James Levine, Charles Merriwether
Garden Hills:	Merriwether
Grant Estates	Kim Shorter
Historic Brookhaven	Maribett Varner Bill Chappell, Nina Schwartz
Kingswood:	Schwartz
Margaret Mitchell	Robin Morgan
Memorial Park	Garth Peters
Mt Paran - Northside	Joseph Stabile
North Buckhead	Robert Patterson
Paces Civic	Susan Kreuer
Peachtree Battle Alliance	Juan Johnson
Peachtree Heights East	Hank Anthony
Peachtree Heights West	Joyce Lavinder
Peachtree Park	Libby Viegerver
Pine Hills	Ed Archer
South Tuxedo Park	Mary Norwood
Tuxedo Park	Gigi Rouland
Wesley Battle	Nolan Gwynn
West Paces Northside	Cartha O'Hare
Harris Glen HOA	Phil Davis
District 8 City Council	Mary Norwood

The meeting was called to order by Chair Debra Wathen. The initial discussion was led by Councilwoman Mary Norwood on the street repairs in District 8. She lamented how little support she was getting from the various departments and the sorting of the funding for each street.

Ms. Wathen then discussed a new intergovernmental committee with the Buckhead Coalition and the Buckhead Council of Neighborhoods. As the Buckhead Coalition is composed of businesses and the Buckhead Council of Neighborhoods, it is a way for businesses and neighborhoods to work together to move Buckhead forward.

Discussion then returned to transportation and street paving. The streets GDOT committed to paving by the end of the year appear to be on schedule. There is a procurement blackout which is delaying any intersections improvements. It was pointed out that when a street is paved, that is the time a neighborhood should approach the striping company about crosswalks, bike lanes, etc. striped on the street. If you don't get it done then, it will be very difficult to get it done in the future.

Ms. Wathen announced that 75% of the Council Neighborhoods voted for the Resolution to Support the of the Buckhead Safety Alliance Patrols. Two of the Buckhead Safety patrol cars are patrolling now with the third to be operational very soon. Mary Norwood matched \$100,000 in donations to the Foundation and the City of Atlanta has pledged \$100,000. The Buckhead Coalition has also raised significant funds for the Alliance. The phone number attached to each car is available.

Bill Chappell from the Kingswood neighborhood discussed how their neighborhood has worked to eliminate short-term rentals. They have amended their charter to not allow these in their neighborhood. Some will remain as they are "grandfathered", however should there be 3 violations in 12 months they can be shut down. Mr. Chappell shared a handout describing the short-term rental environment in Buckhead. The handout is attached to the minutes. He is encouraging all Buckhead Neighborhoods to join with Kingswood and restrict STRs.

Robert Patterson was the next speaker as he wanted to start a discussion about the possibility of decentralizing city services. He was not suggesting a pro or con but just thought perhaps it was time to start the discussion. Decentralized city services are in place in many places both in the US and Europe. Two examples would be New York City and London, England. Right or wrong for the Atlanta metropolitan area is to be determined.

City Councilwoman Mary Norwood discussed how important it was for everyone to complete the survey. The results will affect the entire metropolitan area.

Fernleaf neighborhood representatives then discussed plans in place to develop what is now the Galloway Athletic Fields. The current plans are for a very large residential development. However, not only would the development create many traffic nightmares, but the development would be on a former landfill. So not only would zoning changes be required, but the issue of the landfill is also a concern. While Fernleaf is not actually in the Buckhead Council of Neighborhoods area, it is a bordering area. The Buckhead Council of Neighborhoods will not take a position but will watch to see how it progresses.

The group opposing the Safety Training Center is attempting to collect 70,000 signatures from registered City of Atlanta voters to force the development to a vote.

Respectfully Submitted
Anne McKillips

Restricting Short Term Rentals in Buckhead

Bill Chappell, President of Kingswood Neighborhood Association

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1) Short term rentals are a bigger problem than you think

- a. Much more than Party Houses
- b. No background checks
- c. Illicit activity without repercussions
- d. No barriers to where they can go
- e. Most located within 1000 yards of school and/or religious institution

2) A Solution for Buckhead

- a. City of Neighborhoods and Neighborhood Associations
- b. Almost all Associations were founded with a charter
- c. Have current powers to maintain common spaces, hire security, collect dues etc
- d. State of Georgia HOA regulations enable much more authority
 - i. Do not require to be mandatory HOA
 - ii. Do not require community to be owned by a developer/majority holder
 - iii. Just need to have a charter filed with State which probably already have

3) It All Abut a 2/3 Vote

- a. Any homeowners' association in state of GA can amend Charter to add regulations as long as you have 2/3 approval from the membership
- b. This is equitable for all parties. If you neighbors want to have short term rentals then they can vote against the proposal

4) This is what Kingswood passed in May

- Homes and unattached living spaces in the Kingswood Neighborhood as defined by the City of Atlanta may not be rented or leased for a term of **less than 180 consecutive days**.
- Homeowners in the Kingswood Neighborhood must obtain written permission from the Kingswood Homeowners Association to receive a waiver for a short term rental. No homeowner shall receive more than **two waivers** in a given calendar year.
- Homeowners found in violation of this rule may be fined, per instance, at a sum determined by the Kingswood Homeowners Association. This fine shall not exceed \$1000 per day rented

5) Amendments create a shield from new rentals. What about Existing ones?

- a. City Will Start Enforcing Short Term Rental ordinances by September 30
- b. Every Short Term Rental must be licensed and follow certain codes

- c. If Rental has three violations within 12 months it will lose license for 12 months
- d. City has confirmed that will only issue a license where it is allowed

6) What you need to do: Build the Buckhead Shield

- a. Find your charter or ratify one
- b. Hold a vote on amendments and gain 2/3 vote
- c. Notify City of charge to Charter
- d. Encourage the City to Support Our Efforts

7) Next Steps

- a. Work with City to Build a database of Streets/Neighborhoods where short term rentals are restricted
- b. Improve communication with APD and Codebusters to better track/document violations of existing Short Term rentals

Key Resources

Georgia HOA Laws and Resources

<https://www.hopb.co/Georgia>

City of Atlanta Short Term Rental Ordinance

<https://www.atlantaga.gov/government/departments/city-planning/ordinances-regulations/short-term-rental>

City of Atlanta Short Term Rental Permit Tracker

<https://coaplangis.maps.arcgis.com/apps/dashboards/ebf59d4330b84402b2dc854425bf015e>