



CITY OF STONECREST, GEORGIA

CITY COUNCIL MEETING – AGENDA

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, August 22, 2022 at 7:00 PM

Mayor Jazzmin Cobble

Council Member Tara Graves - District 1 Council Member Rob Turner - District 2

District 3 - Vacant Mayor Pro Tem George Turner - District 4

Council Member Tammy Grimes - District 5

Citizen Access: [Stonecrest YouTube Live Channel](#)

I. CALL TO ORDER: George Turner, Mayor Pro-Tem

II. ROLL CALL: Sonya Isom, City Clerk

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF THE AGENDA

VI. REVIEW AND APPROVAL OF MINUTES

a. Approval - of the July 25, 2022 Meeting Minutes

VII. PUBLIC COMMENTS

The meeting will be conducted in person. Citizens may also submit public comments via email to cityclerk@stonecrestga.gov by 2 pm on the day of the meeting to be read by the City Clerk.

There is a two (2) minute time limit for each speaker submitting or reading a public comment.

VIII. PUBLIC HEARINGS

Citizens wishing to participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, position on the agenda item you are commenting on (for or against) via email to cityclerk@stonecrestga.gov by 2 pm the day of the Hearing. A zoom link for the meeting will be sent to you.

When it is your turn to speak, please state your name, address and relationship to the case.

As an alternative, you can submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

There is a ten (10) minute time limit for each item per side during all public hearings. Only the applicant may reserve time for rebuttal.

- a.** For Decision- IDI Rezoning - *Ray White*
- b.** For Decision - RZ-22-004 592 Lounge, LLC - *Ray White*
- c.** For Decision- RZ-22-005 3266 Hayden Quarry - *Ray White*
- d.** For Decision - RZ-22-006 2975 Evans Mill Rd - *Ray White*
- e.** For Decision - TMOD-22-001 Definitions and Uses - *Ray White*

IX. CONSENT AGENDA

X. APPOINTMENTS

XI. REPORTS & PRESENTATIONS

- a.** Presentation - Mayor's Special Acknowledgements - *Mayor Jazzmin Cobble*

XII. OLD BUSINESS

- a.** For Decision - Decriminalization of Marijuana - 2nd Read - *Mallory Minor*
- b.** For Decision - SPD22-0000010 Preliminary Plat for Crestwind Township - *Ray White*
- c.** For Decision - SPD22-000011 Stonecrest Estates Preliminary Plat - *Ray White*
- d.** For Decision - Carl Vinson Institute of Government Study - *Hari Karikaran*

XIII. NEW BUSINESS

- a.** For Decision - URA Resolution - *Winston Denmark*
- b.** For Decision - ARPA - *Janice A. Jackson*

XIV. CITY MANAGER UPDATE

XV. MAYOR AND COUNCIL COMMENTS

XVI. EXECUTIVE SESSION

(When an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate)

XVII. ADJOURNMENT

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.



CITY OF STONECREST, GEORGIA

CITY COUNCIL MEETING – MINUTES

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, July 25, 2022 at 7:00 PM

Mayor Jazzmin Cobble

Council Member Tara Graves - District 1 Council Member Rob Turner - District 2

District 3 - Vacant Mayor Pro Tem George Turner - District 4

Council Member Tammy Grimes - District 5

Citizen Access: [Stonecrest YouTube Live Channel](#)

I. CALL TO ORDER: George Turner, Mayor Pro-Tem

The meeting started at 7:04 pm

II. ROLL CALL: Sonya Isom, City Clerk

Mayor Jazzmin Cobble, Councilmembers Tara Graves, Rob Turner, and Tammy Grimes all present with Mayor Pro Tem George Turner attending via Zoom due to illness.

III. INVOCATION

Invocation given by Councilmember Rob Turner.

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF THE AGENDA

Motion - Made by Councilmember Robert Turner to approve the agenda for the City Council Meeting July 25, 2022. Councilmember Tara Graves seconded.

Motion passed unanimously.

VI. REVIEW AND APPROVAL OF MINUTES

a. Approval - of the June 29, 2022 Meeting Minutes

Motion - made by Councilmember Tammy Grimes to approve the June 29, 2022 meeting minutes with mentioned observations. Councilmember Tara Graves seconded.

Motion passed unanimously.

- b. Approval** - of the July 6, 2022 Special Called Meeting Minutes

Motion- made by Councilmember Tara Graves to approve July 6, 2022 meeting minutes. Councilmember Rob Turner seconded.

Motion passed unanimously.

- c. Approval** - of the July 11, 2022 Special Called Meeting Minutes

Motion - made by Councilmember Robert Turner to approve July 11, 2022 Special Called meeting minutes. Councilmember Tammy Grimes seconded.

Motion approved unanimously.

VII. PUBLIC COMMENTS

The meeting will be conducted in person. Citizens may also submit public comments via email to cityclerk@stonecrestga.gov by 2 pm on the day of the meeting to be read by the City Clerk.

There is a two (2) minute time limit for each speaker submitting or reading a public comment.

City Clerk Sonya Isom read the one (1) public comment submitted online by Malaika Wells.

In person comments:

Terry Fye: Spoke in support of Decriminalization of Marijuana.

Dave Marcus: Spoke on a lack of transparency in the city with the failure to have the packet posted in a timely manner and lack of documentation included. He also spoke against the city doing a study on Public Works. He stated that the city was not ready to take on Public Works and should focus on other departments/areas where improvements can be made.

Robert McPherson: Stated that he intended to speak on an item on the agenda later in the meeting, Stonecrest Estates.

Faye Coffield: Asked that council approve Wineries and Chicken farms in District 5, asked that Council mandate that all townhomes landscaping look like the landscaping that is seen in the townhomes next door, 2975 Evans Mills and 6378 East Glen are single family homes; there has been an error resubmitted, and this will open doors for commercial properties on Evans Mill. Asked that Council keep an eye out for this. She also suggested that Council take a ride down 124 towards Snellville and they will see why citizens are upset; clear distinction of where Gwinnett County ends and Stonecrest begins. Tractor Trailer concerns.

Justin Parker: Stated that he intended to speak on an item on the agenda later in the meeting, Stonecrest Estates.

VIII. PUBLIC HEARINGS

Citizens wishing to participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address,

position on the agenda item you are commenting on (for or against) via email to cityclerk@stonecrestga.gov by 2 pm the day of the Hearing. A zoom link for the meeting will be sent to you.

When it is your turn to speak, please state your name, address and relationship to the case. As an alternative, you can submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

There is a ten (10) minute time limit for each item per side during all public hearings. Only the applicant may reserve time for rebuttal.

a. Public Hearing - 3935 Cain Mill Drive- Short-term Rental - Ray White

Planning and Zoning Director Ray White gave a presentation. Staff recommendation is to approve. The Planning Commission has also approved.

Motion - made by Councilmember Rob Turner to open Public Hearing. Councilmember Tara Graves seconded.

Motion passed unanimously.

Robert Peterson owner of the property spoke in favor of this item.

Faye Coffield spoke in opposition of this item. She expressed that she has concerns about stronger rules in regards to AirB&Bs. She suggests that they are monitored heavily and only a certain number of issues before the permit is revoked. No tolerance policy if allowed.

Angela Russell expressed concern about a lack of information.

Motion - made by Councilmember Rob Turner to close Public Hearing. Councilmember Tara Graves seconded.

Motion passed unanimously.

b. For Decision - 3935 Cain Mill Drive - Short Term Rental - Ray White

Ray White, Planning and Zoning Director, stated a new SLUP application is required every year and if there is an issue at this property, this can be revoked and the parking requirement falls on the owner. He clarified that owners should not have long term leases or longer than 30 days. The code does not want a continuation of this practice but no timeline provided. Conditions can be added to the code. This is not considered a home occupation and if there are no violations within the year, the SLUP can continue. If there is a violation, the SLUP is voided at one year and the owner has to come back before Council to reapply.

Motion - made by Councilmember George Turner to approve SLU-22-005. Councilmember Rob Turner seconded.

Motion passed unanimously.

IX. CONSENT AGENDA

X. APPOINTMENTS

- a. Swearing In of District 5 Planning Commissioner Lemuel Hawkins - *Mayor Jazzmin Cobble*

XI. REPORTS & PRESENTATIONS

Presentation by Councilmember Tammy Grimes to acknowledge Levi and Joshua Morris.

XII. OLD BUSINESS

- a. **For Decision** - Carl Vinson Institute of Government Study - *Hari Karikaran*

Hari Karikaran gave a brief presentation.

Motion - made by Councilmember Tammy Grimes to defer this item until the next Council Meeting. Councilmember Tara Graves seconded.

Mayor Cobble stated that this would exceed the one hundred and twenty (120) days. Councilmember Rob Turner offered an amendment to the motion that this item could be heard at a special called meeting if possible. Councilmember Tara Graves seconded.

Motion passed unanimously.

- b. **For Decision**- Preliminary Plat for Crestwind Township - *Ray White*

Ray White gave a presentation. He stated that staff recommends approval of this Preliminary Plat as all requirements have been met under the Overlay uses. He stated that there is a conflict underway looking at the Overlay district that would allow for residential development to take place in a C-1 and C-2 zone. He stated that it was up to the Council to revisit it's zoning classifications.

Attorney Michelle Battle, representative for the builder, provided some clarification on why this item was before council for a decision and stated this was a Staff oversight issue that was now being corrected. She stated that she was not there when the oversight took place but was called in after the issue arose. She stated that a decision about this community being a rental community or not has not yet been made and the approval of this plat is simply a technical review. She stated that all requirements have been met and the LDP is ready for issuance.

City Attorney Winston Denmark provided some clarity on what Ray White and staff recommended. He stated based on all satisfied requirements, the staff has recommended that Council approve this Preliminary Plat. He stated he acknowledges some un-readiness from Council about this matter and recommended taking additional time to have their questions answered before moving forward.

Motion - made by Councilmember Tara Graves to defer this item until the next Council Meeting. Councilmember Rob Turner seconded.

Motion passed unanimously.

XIII. NEW BUSINESS

a. For Decision - TMOD-22-001 Definitions and Uses - *Ray White*

Ray White gave an introduction and gave a recommendation of approval.

Motion - made by Councilmember Rob Turner to defer until the next Council Meeting. Councilmember Tammy Grimes seconded.

Motion passed unanimously.

b. For Decision - Stonecrest Estates Preliminary Plat - *Ray White*

Ray White provided an introduction and stated that Staff would like to take another look at the proposal because of the lot configuration. Staff is recommending that the item be deferred.

Rob McPherson spoke and asked that a conditional approval be given by Council.

Motion - by Councilmember Tara Graves to defer to a special called meeting or the next Council meeting. Councilmember Tammy Grimes seconded.

Motion passed unanimously.

c. For Decision - Resolution for Approving the Municipal Court Fee Schedule - *Mallory Minor*

Mallory Minor gave a presentation.

Motion - made by Councilmember Rob Turner to approve the Resolution for the Municipal Court Fee Schedule. Councilmember Tammy grimes seconded.

Motion passed unanimously.

d. For Decision - Decriminalization of Marijuana - *Mallory Minor*

Mallory Minor provided a brief presentation. This item is a first read.

e. For Decision - Participation in the Community Service Program - *Mallory Minor*

Mallory Minor gave a brief presentation.

Motion - made by Councilmember Tammy Grimes to approve the Participation in the Community Service Program. Councilmember Tara Graves seconded.

Motion passed unanimously.

f. For Decision - Resolution for 2022 Resurfacing Contract - *Gia Scruggs*

Gia Scruggs gave a brief introduction.

Motion - to approve Stewart Brothers Inc Contract for 2022 resurfacing by Councilmember Tammy Grimes. Councilmember Tara Graves seconded.

Motion passed unanimously.

Motion - Made by Councilmember Tammy Grimes to approve the ER Snell contract for 2022 resurfacing. Councilmember Tara Graves seconded.

Motion passed unanimously.

g. For Decision - Fiscal Year 2023 Budget Calendar - *Janice Allen Jackson*

Janice Allen Jackson provided a brief introduction.

Motion - made by Councilmember Rob Turner to approve the FY2023 Budget Calendar. Councilmember Tara Graves seconded.

Motion passed unanimously.

h. For Decision - Resolution for Service Delivery Strategy - *Janice Allen Jackson*

Janice Allen Jackson provided an brief introduction.

Motion - made by Councilmember Tara Graves to approve the Resolution of Service Delivery Strategy. Councilmember Tammy Grimes seconded.

Motion passed unanimously.

XIV. CITY MANAGER UPDATE

Janice Jackson gave an update on Covid-19 statistics and also told Council that all Senior Leadership positions have been filled.

XV. EXECUTIVE SESSION

(When an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate)

Motion - made by Councilmember Rob Turner to go into Executive Session for personnel and legal matters. Councilmember Tara Graves seconded.

Motion passed unanimously.

Motion - made by Councilmember Rob Turner to end Executive session. Councilmember Tara Grimes seconded.

Motion passed unanimously.

XVI. MAYOR AND COUNCIL COMMENTS

Councilmember Tara Graves spoke about an community engagement event to be held at Stonecrest Library in August. She stated the event would be a 6-month lookback, community

building, and sharing concerns and ideas. The date is to be determined and the information regarding the event will be posted on the City's website and to social media. She stated July is Parks and Rec month and acknowledged the Parks and Rec (Leisure Services) staff and the back to school pop up event. She stated they are doing an amazing job and that she met the new Director Benjamin Dillard. She mentioned that back to school would also be taking place August 8th and that traffic would be changing. She mentioned she attended a great event by The First Black Family Magazine presented Mayor Cobble with the Black Family Impact award, a certificate of acknowledgement, on their behalf.

Councilmember Rob Turner thanked Leisure Services Department for the popup event and Stonecrest citizens and staff.

Tammy Grimes mentioned the pop up event at Salem park happening on Friday and said she looked forward to everyone joining the event. She mentioned she visited Village Park in Henry County and was look forward to some changed in Salem's Park.

George Turner yielded to the Mayor.

Mayor Cobble mentioned the Park pop up event this Friday and that council is excited about all the other upcoming events in the City. Council was excited to join Traditions to celebrate their joint committee accreditation. A Job Well Done on their service to this community. Upcoming Proclamations this week and one last week. Look forward to supporting and encouraging them.

George Turner spoke about Covid - 19 and stated the numbers are going up. Council is gathering numbers about fatalities in the area and looking into a possible state of emergency. Code Enforcement is a major focus right now with the illegal dumping and citizens complaints about the same issue. Our brand and bridgescape designs will be apart of upcoming discussions and meetings.

XVII. ADJOURNMENT

Motion - made by Councilmember Tammy Grimes to adjourn. Councilmember Rob Turner seconded.

Motion passed unanimously.

Meeting ended at 11:37pm

Americans with Disabilities Act

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CITY COUNCIL AGENDA ITEM

SUBJECT: RZ-22-002 IDI Rezoning

AGENDA SECTION: *(check all that apply)*

PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, August 22, 2022

SUBMITTED BY: Keedra T. Jackson, Senior Planner of Planning & Zoning

PRESENTER: Ray White, Director of Planning & Zoning

PURPOSE: The applicant is requesting to rezone the subject properties from M and M-2 for the development of three warehouse building

FACTS: The applicant is requesting to rezone the 188.140 +/- acres of the subject property from M (Light Industrial) District and M-2 (Heavy Industrial) District to M (Light Industrial) District to allow the development of a three-building warehouse project. Subject Property consisting of three warehouse buildings totaling ±1,932,122 square feet, parking, and associated site improvements. The Applicant intends to rezone all parcels comprising the Subject Property to the M zoning district to create a uniform zoning for the development and allow the consolidation and replatting of the property in the future. In addition, the Applicant seeks to amend the conditions of zoning to better align with current design practices and to allow the Proposed Development.

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: Approval/Conditions



CITY COUNCIL AGENDA ITEM

ATTACHMENTS:

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - IDI Rezoning Ordinance
- (3) Attachment 3 - 2022 Stonecrest Logistics Center DRI 3584- Final Report
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.



PLANNING COMMISSION

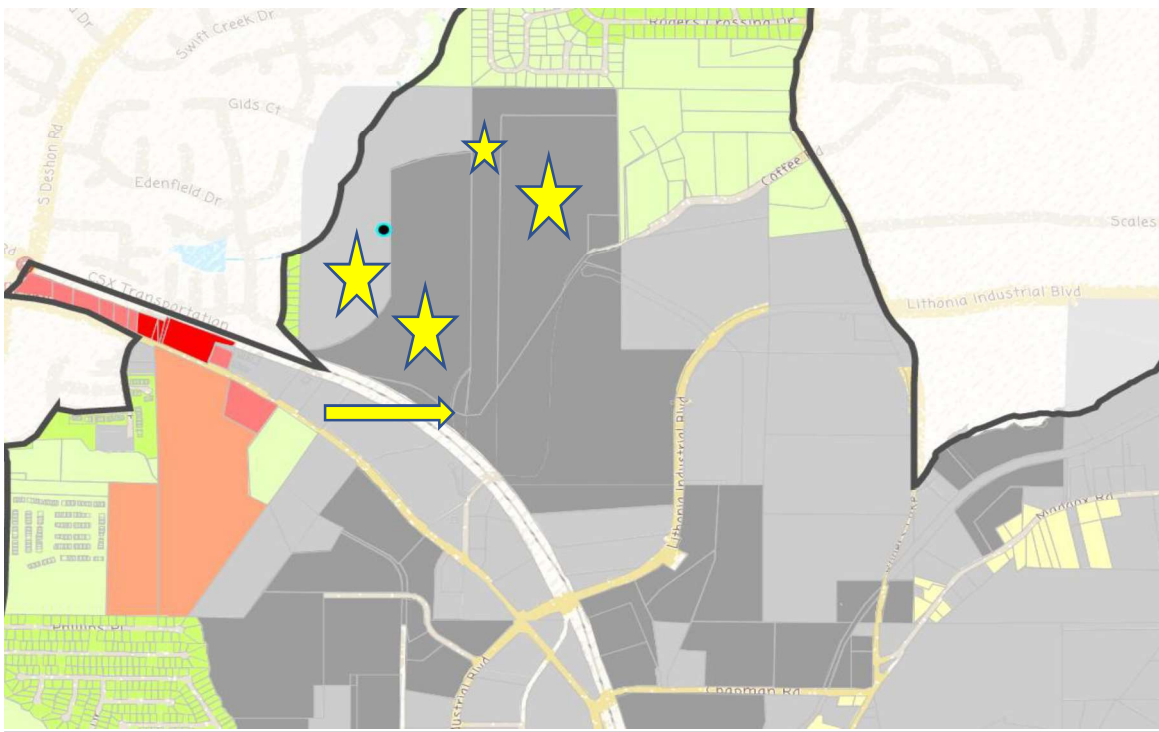
Planning Commission August 2, 2022 / Mayor and City Council Meeting August 22, 2022

GENERAL INFORMATION

Petition Number:	RZ-22-002
Applicant:	Nick Faber, IDI Logistics
Owner:	James W. Kelly, Jr. and Daniel H. Kelly
Project Location:	2300, 2330, 2368 and 2376 South Stone Mountain Lithonia Rd and 1801 Coffee Rd.
Parcels:	16-125-01-002, 16-125-01-153, 16-124-01- 003, 16-132-01-019, and 16-132-01-001).
District:	District 1
Acreage:	188.140 +/- acres
Existing Zoning:	M (Light Industrial) / M-2 (Heavy Industrial)
Proposed Zoning:	M (Light Industrial)
Comprehensive Plan Community: Area Designation	HIND (Heavy Industrial)
Proposed Development/Request:	The applicant is requesting to rezone the subject properties from M and M-2 for the development of three warehouse building
Staff Recommendations:	<i>Approval/Conditional</i>
Planning Commission	Recommended Approval with Conditions
City Council	Deferred back to Planning Commission for due to incorrect legal ad, property deed and survey

PLANNING COMMISSION

Zoning Map



Zoning Case: RZ-22-002

Address: 2300, 2330, 2368, 2376 South Stone Mountain Lithonia Rd and 1801 Coffee Rd.

Current Zoning: M (Light Industrial) and M-2 (Heavy Industrial)

Proposed Zoning: M (Light Industrial)



Subject Property

PLANNING COMMISSION

Aerial Map

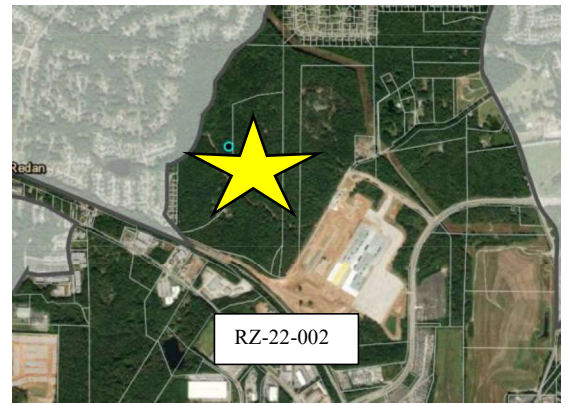


PROJECT OVERVIEW

Location

The subject properties are located at 2300, 2330, 2368, 2376 South Stone Mountain Lithonia Road and 1801 Coffee Road (Parcel IDs: 16-125-01-002, 16-125-01-153, 16-124-01-003, 16-132-01-019, and 16-132-01-001). The Subject Property consists of a ±188.140-acre assemblage off five parcels located in Land Lots 124, 125 and 132, 16th District, City of Stonecrest, DeKalb County, Georgia (“Subject Property”).

The property is bounded by Deshon Estates to the west, by The Villas at Rogers Crossing to the north and Home Depot to the southeast. Located to the south is CRX Transportation Services.



Subject Property

PLANNING COMMISSION

Background:

The applicant is requesting to rezone the 188.140 +/- acres of the subject property from M (Light Industrial) District and M-2 (Heavy Industrial) District to M (Light Industrial) District to allow the development of a three-building warehouse project. Subject Property consisting of three warehouse buildings totaling ±1,932,122 square feet, parking, and associated site improvements. The Applicant intends to rezone all parcels comprising the Subject Property to the M zoning district to create a uniform zoning for the development and allow the consolidation and replatting of the property in the future. In addition, the Applicant seeks to amend the conditions of zoning to better align with current design practices and to allow the Proposed Development. On May 20, 2022, staff was advised by DeKalb County GIS there was a subdivision of Parcel # 16 125 01 002. Parcel 16 125 01 002 have total of 50.61 AC and newly created parcel 16 125 01 155 total acreage 18.08 AC.



Two of the five total parcels that comprise the Subject Property were rezoned on November 24, 1981, then located in unincorporated DeKalb County, from R-100 (Single Family Residential) to M Light Industrial and M-2 Heavy Industrial zoning district pursuant to zoning ordinance Z-81143. Although the subject property was incorporated under the jurisdiction of the City of Stonecrest when it was incorporated, this did not eradicate the 1981 Rezoning conditions. Zoning conditions stay with the land.



PLANNING COMMISSION

The 1981 Rezoning was subject to seventeen conditions, the following conditions are what the applicant is seeking to amend:

1. The height of any building located on the site shall not exceed 40 feet. (#7)
2. All buildings shall use earth tone colors the same being defined as colors which shall attempt to blend with the landscape and foliage located on property. (#10)
3. The fronts of all buildings constructed on the property shall use some brick veneer, stone, wood, or a mixture of some of the same. (#11)
4. Access to the site shall be limited to the Stone Mountain-Lithonia Road or Coffey Road and no streets shall be connected to any existing street or future street which runs, or is to run, through any adjacent residentially zoned property. This paragraph does not apply to Coffey Road. (#14)
5. A cyclone fence of not less than 6 feet in height shall be placed on the North and West property lines of said property. (#17)

The applicant is proposing modern warehouse facilities that will exceed 40 feet in height (48 feet). In addition, tilt-up panel construction has become an industry standard for modern warehouse design and concrete block has become less widely used, as envisioned in the 1981 Rezoning conditions. Furthermore, the 1981 Rezoning conditions call for a cyclone fence along the property lines. The Applicant's site design will provide additional landscaped buffers in lieu of the cyclone fence. The applicant will be providing a minimum of a 150-foot of vegetated buffer (the 150-foot buffer will be composed of 75-foot undisturbed and 75-foot landscaped buffers) along the north and west property lines. In areas where the proposed grading will encroach into the 150' buffer the Applicant will replant with landscaping. Lastly, the 1981 Rezoning requires access to South Stone Mountain Lithonia Road and Coffee Road. The applicant is proposing to utilize Stonecrest Industrial Way areas. the Applicant now seeks to modify the above conditions to match the following wording:

7. The height of any building located on the site shall not exceed 50 feet.
10. All buildings shall use colors in general accordance with the concept elevations.
11. The fronts of any and all buildings constructed on the property will be of a tilt-up concrete panel construction with a color in accordance with the elevations referenced in condition.
14. Access to the site shall be limited to the Stonecrest Industrial Way or Coffey Road and no streets shall be connected to any existing street or future street which runs, or is to run, through any adjacent residentially zoned property. This paragraph does not apply to Coffey Road.
7. A 75-foot vegetated landscape strip shall be placed on the North and West property lines as generally depicted on the site plan, dated February 28, 2022.

The applicant is seeking the following Parking requests:

RZ-22-2002

Planning Commission, August 2, 2022

KJ

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PLANNING COMMISSION

	1,007,900	
BUILDING 1:	SF	
<hr/>		
DOCK DOORS	180	
AUTO PARKING	503	
TRAILER		
PARKING	228	(FUTURE 120)
	456,840	
BUILDING 2:	SF	
<hr/>		
DOCK DOORS	107	
AUTO PARKING	386	
TRAILER		
PARKING	120	
	467,382	
BUILDING 3:	SF	
<hr/>		
DOCK DOORS	94	
AUTO PARKING	379	
TRAILER		
PARKING	99	
Total Auto Parking:	1268	
Total Trailer		
Parking:	447	(FUTURE 120)
Total Loading Docks:	381	

Required Parking (Warehouse)
 Min. 1 space per 2,500 sf of Floor Area
 Max. 1 space per 500 sf of Floor Area

	Floor Area	Min Parking Req.	Max. Parking
BUILDING 1	1,007,900	403.16	2015.8
BUILDING 2	456,840	182.74	913.68
BUILDING 3	467,382	186.95	934.76

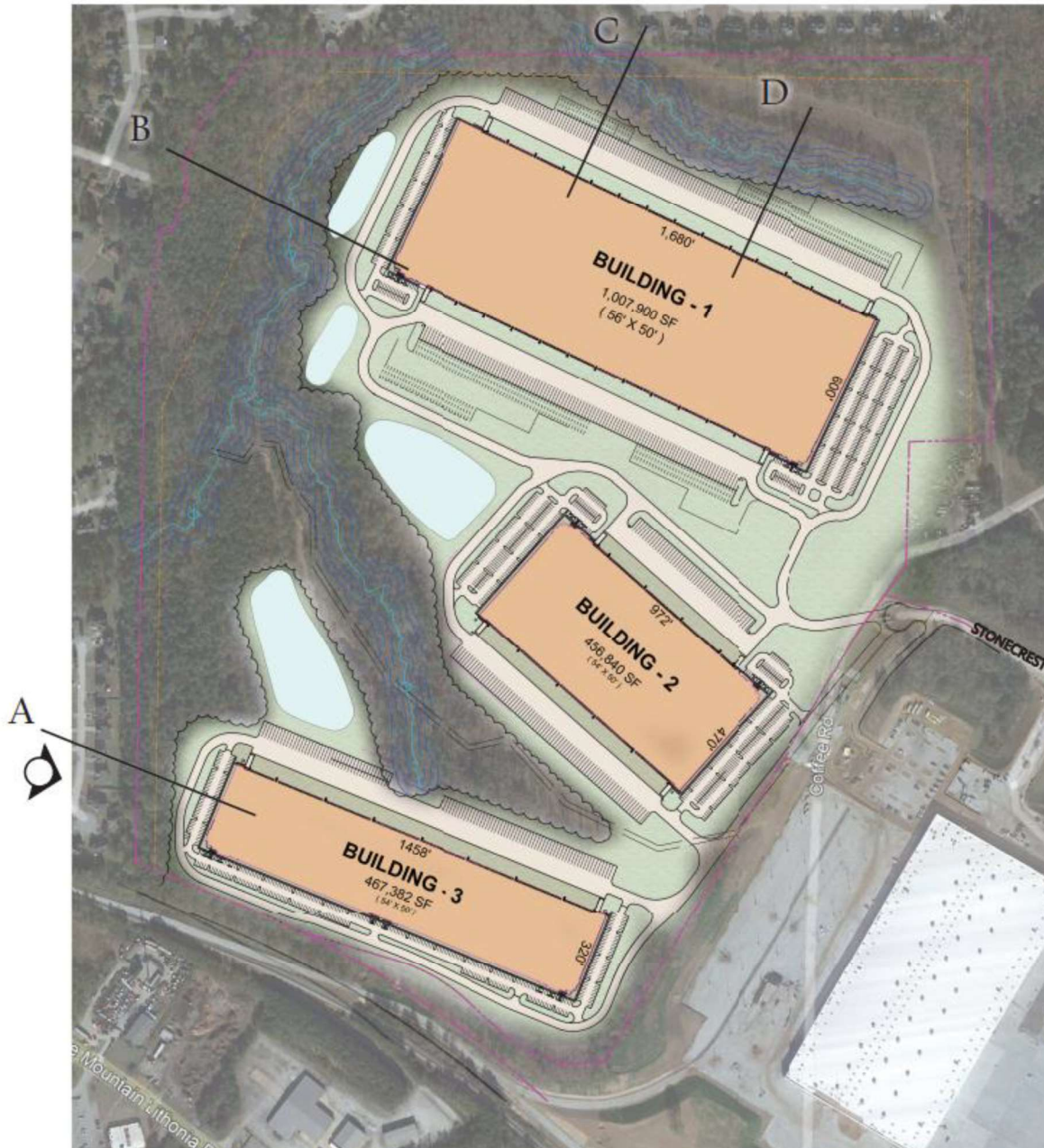
Required Loading (Warehouse)
 3 spaces up to 99,000 sf + 1 space per additional 10,000 sf

	Floor Area	Min Loading Spaces
BUILDING 1	1,007,900	93.79
BUILDING 2	456,840	38.68
BUILDING 3	467,382	39.74

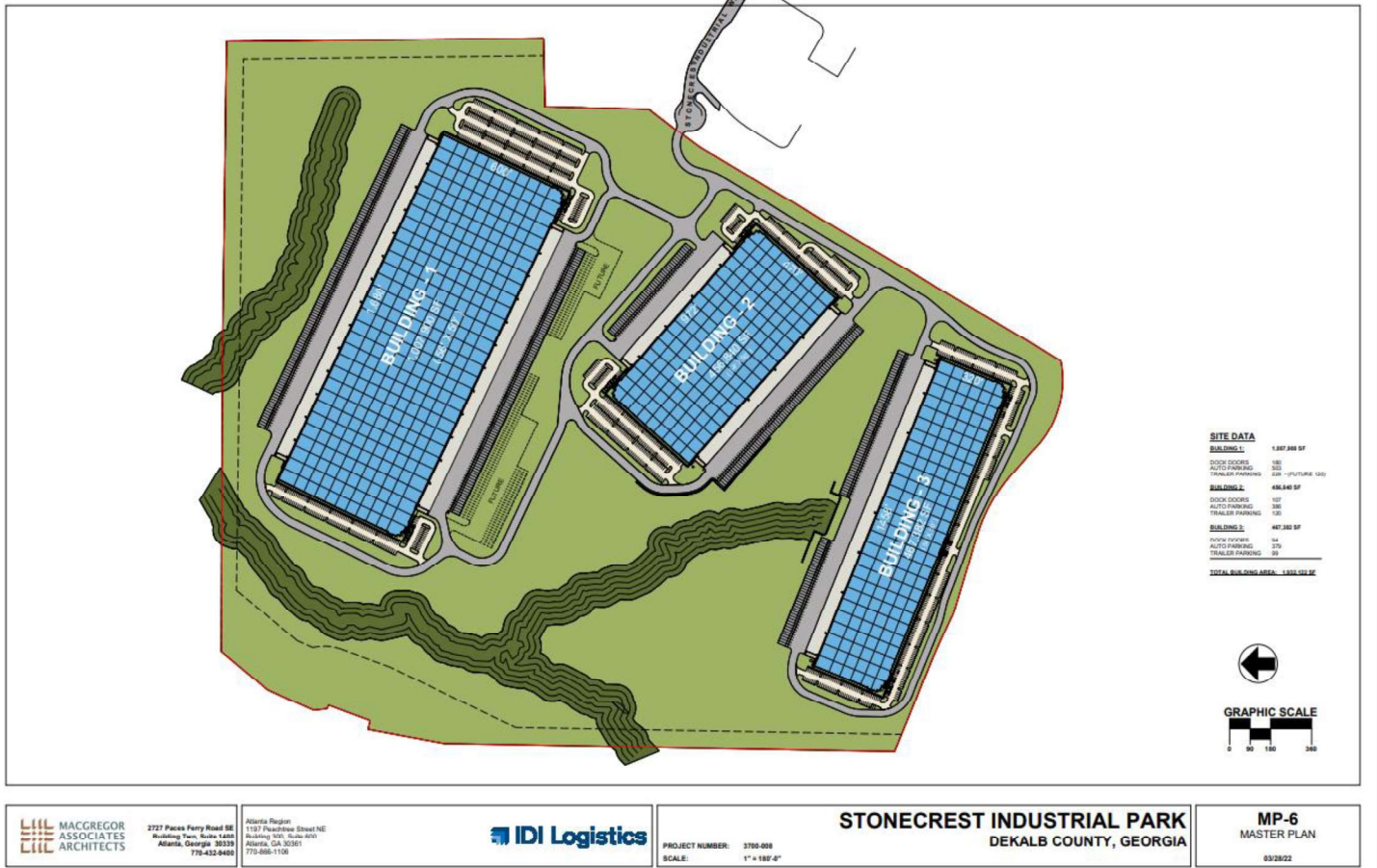
Article 6, Section 6.1.5- "One space for each 500 square feet of floor area"

PLANNING COMMISSION

Conceptual Site Plan



PLANNING COMMISSION



MACGREGOR ASSOCIATES ARCHITECTS
2727 Paces Ferry Road SE
Atlanta, Georgia 30339
770-432-9400

Atlanta Region
1137 Peachtree Street NE
Atlanta, GA 30309
770-888-1100

IDI Logistics

PROJECT NUMBER: 3700-008
SCALE: 1" = 180'-0"

STONECREST INDUSTRIAL PARK
DEKALB COUNTY, GEORGIA

MP-6
MASTER PLAN
03/28/22

Public Participation

Community Planning Information Meeting was on May 24, 2022. There were no surrounding property owner to speak in opposition of the rezoning petition.



PLANNING COMMISSION

STANDARDS OF REZONING REVIEW

Section 7.3.4 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.**

As shown in the table below, the subject property is surrounded by industrial and residential development. *
Please see the map below table

ADJACENT ZONING AND LAND USE		
	Zoning	Zoning Land Use
Adjacent: North	RSM(Residential Small Lot) District	Single-family (The Villas at Rogers Crossing)
Adjacent: East	M (Light Industrial) District	Industrial (Home Depot Flatbed Distribution)
Adjacent: South	M (Light Industrial) District	Industrial (CSX Transportation)
Adjacent: West	R-100 (Med Residential) District and RSM (Residential Small Lot) District	Residential (Deshong Estates Subdivision)



PLANNING COMMISSION

Zoning Criteria, Analysis and Comments

- **Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The existing land use is Heavy Industrial and will not adversely affect the existing use or usability of adjacent or nearby property or properties. The current zoning of the property is the recommended zoning classification for the proposed land use and would be similar to adjacent property and properties.

- **Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

There is one full-access point proposed on Stonecrest Industrial Way within the cul-du-sac, which it is planned to connect to Lithonia Industrial Boulevard. Lithonia Industrial Boulevard provides connection to the regional truck route Rock Chapel Road which is a Regional Thoroughfare and Regional Truck Route. The project is expected to generate a total of 2,012 daily new car trips and 1,036 daily new truck trips. The Transportation Impact Study does not recommend any roadway improvement conditions of approval.

- **Whether the amendment is consistent with the written policies in the comprehensive plan text and any applicable small areas studies.**

The proposed use of a warehouse facility is in accordance with the written policies in the Stonecrest comprehensive plan. The land use designation for the subject properties is HIND, Heavy Industrial.

- **Whether there are potential impacts on property or properties in an adjoining governmental jurisdiction, in cases of proposed changes near county or municipal boundary lines.**

On March 17, 2022, A DRI review of a proposal to construct 1,904,300 SF of industrial space on a 138.12 site on Stonecrest Industrial Way in the City of Stonecrest in Dekalb County. Currently the entire site is forested with significant stream and wetland areas. Three one-story industrial space buildings are proposed: Building 1 with 445,500 SF; Building 2 with 456,840 SF; and Building 3 with 1,002,000 SF. A total of 1,286 car parking spaces and 780 truck/trailer spaces are included. The local DRI review trigger is an application for a land disturbance permit. There will be one phase with build-out expected in 2024.

The site is currently entirely wooded. Additional retention of existing trees on the site would be desirable and in keeping with regional goals regarding carbon sequestration and climate change/heat island effect mitigation. The project can further support The Atlanta Region's Plan in general by incorporating other aspects of regional policy, including green infrastructure and/or low-impact design, e.g., pervious pavers, rain gardens, vegetated swales, etc., in parking areas and site driveways, and as part of any improvements to site frontages. Approximately 33



PLANNING COMMISSION

acres of the site are shown as not disturbed on the site plan. This includes site boundary buffer and stream buffer areas. There may be potential opportunities for linking these fragmented undeveloped areas with adjacent undeveloped or protected areas to ensure their maintenance and productive use.

- **Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.**

There are existing conditions affecting the use and development of the proposed warehouse facility as to why the applicant is seeking a rezoning to amend conditions Z-81143. The current zoning of the property (M) is a permitted zoning classification of warehouse and truck parking.

- **Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed change.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property, therefore there will be no impact on historic buildings.

STANDARDS OF REZONING REVIEW

Section 7.3.5 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.**

Yes. The Proposed Development will complement the existing industrial development in the area and will fully mitigate its impacts on the adjacent single family residential to the north and west. Additionally, the Applicant's request will not result in a different use than what is allowed under the current zoning, rather to seek a uniform zoning and to make technical changes to the current conditions to allow an updated design. Also, there is no proposed change in intensity beyond what is allowed under the current M-2 and M zoning districts. In addition, the Applicant is proposing enhanced buffers that are a minimum of 150 feet wide along the northern and western property lines to mitigate any impacts on the adjacent property. See attached as Exhibit 3, the concept sight-line sections illustrating the proposed buffers. As a result, the requested modification will have no bearing on the use and development of adjacent properties and will be a positive improvement in design over what the 1981 Rezoning allows.

- **Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The subject property is located within the Heavy Industrial character area of the Stonecrest Comprehensive Plan. The character area intends to lend to both industrial and single-family dwellings in unincorporated DeKalb



PLANNING COMMISSION

County. The proposed zoning change and development of residential development would be in keeping with the policy and intent of the comp plan.

- **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The property is currently zoned M, which permits the development of a light industrial use such as warehousing. The property is also located in residential/industrial area where industrial uses are heavily present. The property does have reasonable economic use as currently zoned.

- **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties. Staff believes the applicant has shown good faith by reaching out to staff several months in advance to discuss the proposed project and has conducted independent meetings with the surrounding community.

- **Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.**

There are existing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal. The current zoning is the same proposed zoning classification.

- **Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property.

- **Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The zoning proposed would not cause excessive burdensome; however limited existing infrastructure in these areas will constrain the amount of additional growth that is possible. Transportation improvements are needed within these Developing Suburbs, but care should be taken not to spur unwanted growth. No EV charging stations are proposed; inclusion of some EV charging stations would be supportive of regional EV infrastructure development plans.

- **Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The zoning proposal will not adversely impact the environment or surrounding natural resources.



PLANNING COMMISSION

STAFF RECOMMENDATION

Staff recommends **APPROVAL/CONDITIONS** of RZ-22-002. The conditions are the following:

1. The applicant shall provide a minimum of 250 feet buffer of natural vegetation between the adjacent residential dwellings along the western and southern property line and 200 feet with 50 feet disturbed and replanted for the northern side (Rogers Lake Crossing) of the property line.
2. The applicant shall dedicate the conservation areas to the City of Stonecrest
3. The applicant shall supply at least 4 EV parking spaces
4. A 50 foot undisturbed, buffer shall be provided along the Western property line South of Lot 31 Block D of Deshong Estates to the Railroad Right-of-way, as shown on said site plan.
5. The applicant shall provide a landscape plan for the entrance off of Coffey Road or either Stone Mountain-Lithonia Road.
6. Any and all roadways, proposed streets, or industrial boulevards found within the site shall be grassed to the edge of the right-of-way, said right-of-way to be not less than 60 feet.
7. All surface water retention facilities shall be designed to 10% above requirements as set forth in the DeKalb County Code.
8. The height of any building shall not exceed 50 feet in height.
9. Rear yard loading and unloading shall be prohibited on all buildings constructed on property which is adjacent to Deshong Estates.
10. No building located on property adjacent to Deshong Estates shall have exposed concrete block.
11. All lighting on buildings located on property adjacent to any existing R-100 zoned property shall be focused and directed toward the building and away from said existing R-100 property.
12. Internal lit signs are prohibited on the property
13. No lights shall be located above the roofline of any building
14. All lights shall be of concealed source type so that the illumination therefrom shall be controlled in a particular direction away from Deshong Estates and Rogers Lake Crossing
15. Signs above the roofline are prohibited
16. Access to the site shall be limited to the Stonecrest Industrial Way or Coffey Road and no streets shall be connected to any existing street or future street which runs, or is to run, through any adjacent residentially zoned property. This paragraph does not apply to Coffey Road.
17. There shall be no discharge of any sewage or waste water into Swift Creek.
18. All truck access shall be through Stonecrest Industrial Way and not through Coffee Road or Rogers Lake Road.
19. All Truck traffic shall be limited to Lithonia Industrial Blvd, through Stonecrest Industrial Way.
20. A plat showing the connection of Stonecrest Industrial Way rights-of-way to the property line for the proposed road shall be provided.
21. Complete any missing sidewalks on Stonecrest Industrial Way to provide pedestrian access to sidewalk on Lithonia Industrial Blvd.
22. Applicant shall produce a Performance Bond compliant to the Stonecrest regulations. Amount will be set once the sidewalk calculations have been received.

**STATE OF GEORGIA
DEKALB COUNTY
CITY OF STONECREST**

ORDINANCE NO. ____ - _____

1 **AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF**
2 **STONECRET TO AMEND THE OFFICIAL ZONING MAP OF CITY OF STONECREST,**
3 **GEORGIA BY REZONING CERTAIN PARCELS LOCATED AT 2300, 2330, 2368 AND**
4 **2376 SOUTH STONE MOUNTAIN LITHONIA ROAD AND 1801 COFFEE ROAD IN**
5 **DISTRICT 1 FROM M(LIGHT INDUSTRIAL/M-2(HEAVY INDUSTRIAL) TO**
6 **M(LIGHT INDUSTRIAL); TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY;**
7 **TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR**
8 **AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL**
9 **PUPOSES.**

10 **WHEREAS,** the governing body of the City of Stonecrest (“City”) is the Mayor and
11
12 City Council thereof; and
13

14 **WHEREAS,** Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of
15
16 Georgia authorizes the City to adopt plans and exercise the power of zoning; and
17

18 **WHEREAS,** the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to
19
20 adopt ordinances relating to its property, affairs, and local government; and
21

22 **WHEREAS,** the governing authority of the City has considered one or more of the criteria
23
24 of a rezoning request, provided in Section Sec. 7.3.1. Division 3. - Zoning And Comprehensive
25 Plan Amendments and Procedures of Article VII (“Administration”) in Chapter 27 (“Zoning”) of
the Code of Ordinances, City of Stonecrest, Georgia; and

26 **WHEREAS**, the Mayor and City Council desire to amend Official Zoning Map,
27
28 City of Stonecrest, Georgia, by rezoning certain properties located at 2300, 2330, 2368 And 2376
29 South Stone Mountain Lithonia Road And 1801 Coffee Road In District 1; and

30 **WHEREAS**, the governing authority of the City desires to rezone the following parcels of
31 real property 1Parcels 16-125-01-002, 16-125-01-153, 16-124-01- 003, 16-132-01-019, and 16-
32 132-01-001 in District 1; and

33 **WHEREAS**, from time-to-time rezoning may be proposed for public necessity,
34
35 general welfare, or sound zoning practice that justify such action; and
36

37 **WHEREAS**, the City at its incorporation adopted the DeKalb County zoning map which
38
39 rezoned the two of the five total parcels that comprise the subject property from M(Light
40 Industrial/M-2(Heavy Industrial) To M(Light Industrial) zoning district pursuant to zoning
41 ordinance Z-81143 in November 24, 1981 when the subject parcels were then located in
42 unincorporated DeKalb County, Georgia; and

43 **WHEREAS**, the November 24, 1981 zoning ordinance Z-81143 had seventeen conditions
44
45 (17) which prevents owner of subject property to develop a three-building warehouse therein that
46
47 would create a uniform zoning for the development in the area, to allow the consolidation and
48
49 replating of the subject property in the future, and amend the conditions of zoning to better align
50
51 with current design practices for the proposed development; and
52

53 **WHEREAS**, the City desires the owner of subject property to update the legal description
54
55 of the subject property and have it properly recorded with the DeKalb Superior Court to comply
56
57 with the zoning requirements for a three-building warehouse on the subject property; and
58

59 **WHEREAS**, the City desires to change the subject properties from M (Light Industrial)
60

61 District and M-2 (Heavy Industrial) District to M (Light Industrial) District to allow the
62 development of a three-building warehouse that will complement the existing industrial
63 development in the area and will fully mitigate its impacts on the adjacent single family residential
64 development to the north and west of the subject properties after the owner of the subject properties meets its
65 obligations to update the legal description of its subject properties; and
66
67
68
69

70
71 **WHEREAS**, the City’s Planning Commission recommends approved

72 based on the City Staff Report and said report is hereby incorporated by reference herein; and
73
74

75 **WHEREAS**, a public hearing pursuant to the provisions of the Zoning Procedures Act has

76 been properly held prior to the adoption of this Ordinance; and
77
78

79 **WHEREAS**, the health, safety, and welfare of the citizens of the City will be positively

80 impacted by the adoption of this Ordinance.
81
82

83 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL**

84 **OF THE CITY OF STONECREST, GEORGIA**, and by the authority thereof:
85
86

87 **Section 1.** The parcels of real property found in Exhibit “A” are hereby rezoned to the
88 zoning designation M(Light Industrial) from M(Light Industrial/M-2(Heavy Industrial) as said
89 designation is described in Chapter 27 (“Zoning”) of the Code of Ordinances, City of Stonecrest,
90 Georgia.

91 **Section 2.** The rezoning of said parcels is indicated on the map which is attached hereto
92 as Exhibit “B” and is incorporated herein by reference. The rezoning indicated in Section 1 herein
93 and in Exhibit A attached hereto is to be noted on the official City of Stonecrest Zoning Map
94 approved by the City’s Mayor and Council as soon as reasonably possible following adoption of

95 this Ordinance, along with an editorial note on the official City of Stonecrest Zoning Map
96 specifying the parcels affected by this Ordinance and the date of adoption of this Ordinance.

97 **Section 3.** The Code of Ordinances of the City of Stonecrest, Georgia is hereby amended
98 by replacing the portion of the Official Zoning Map, City of Stonecrest, Georgia, Parcels 16-125-
99 01-002, 16-125-01-153, 16-124-01- 003, 16-132-01-019, and 16-132-01-001 in District 1 as
100 depicted in Exhibit A attached hereto and made part by reference, and adopting the provisions set
101 forth in Exhibit A attached hereto and made a part by reference. That the rezoned properties are
102 located at 2300, 2330, 2368 And 2376 South Stone Mountain Lithonia Road And 1801 Coffee
103 Road In District 1.

104 **Section 4.** That the rezoning of the subject properties is in alignment with the
105 comprehensive plan and it does not require an amendment.

106 **Section 5.** The preamble of this Ordinance shall be considered to be and is hereby
107 incorporated by reference as if fully set out herein.

108 **Section 6.** (a) It is hereby declared to be the intention of the Mayor and Council that all
109 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
110 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

111 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent
112 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is
113 severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is
114 severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is
115 hereby further declared to be the intention of the Mayor and Council that, to the greatest extent
116 hereby further declared to be the intention of the Mayor and Council that, to the greatest extent
117 allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually
118 dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.
119 dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.
120

121 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for
122

123 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the
124 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the
125 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
126 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
127 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to
128 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and
129 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and
130 effect.
131
132
133
134

135 **Section 7.** The City Clerk, with the concurrence of the City Attorney, is authorized to
136 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

137 **Section 8.** All ordinances and parts of ordinances in conflict herewith are hereby
138 expressly repealed.
139

140 **Section 9.** The Ordinance shall be codified in a manner consistent with the laws of the
141 State of Georgia and the City of Stonecrest.
142

143 **Section 10.** It is the intention of the governing body, and it is hereby ordained that the
144 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
145 Stonecrest, Georgia.
146
147
148
149

ORDAINED this _____ day of _____, 2022.

[SIGNATURES TO FOLLOW]

150

CITY OF STONECREST, GEORGIA

George Turner, Mayor Pro Tem

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

**EXHIBIT A
(SEE ATTACHED)**



PLANNING COMMISSION

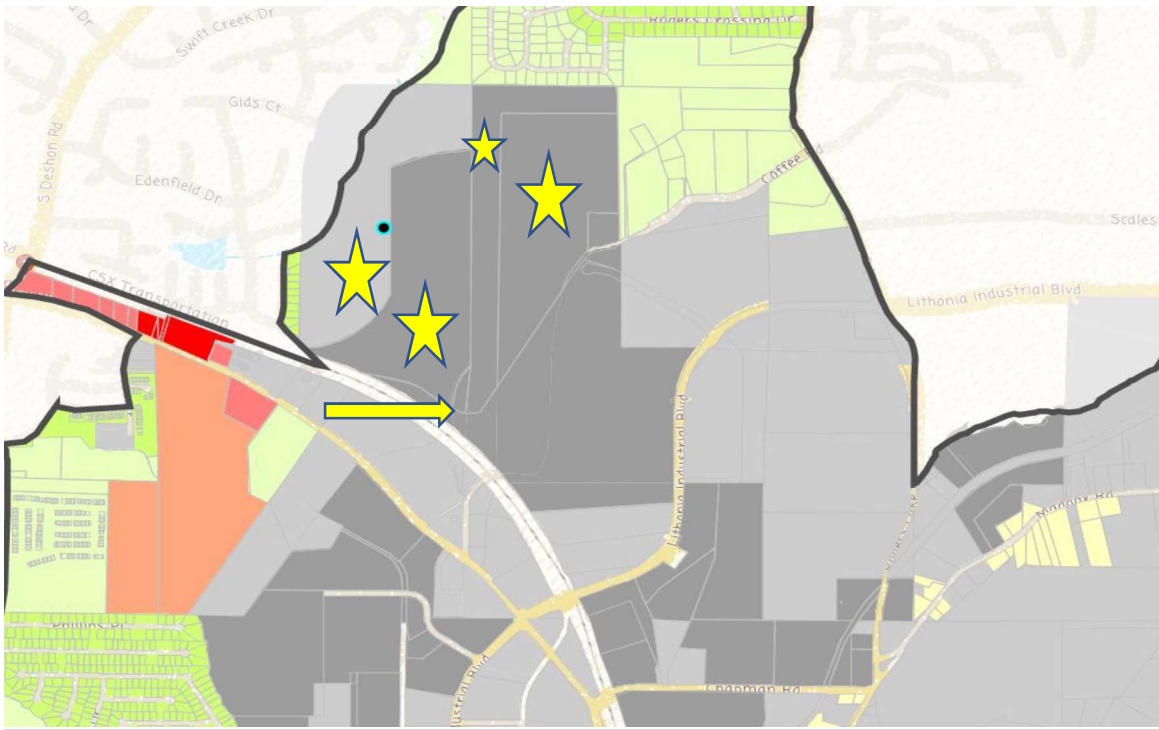
Planning Commission August 2, 2022 / Mayor and City Council Meeting August 22, 2022

GENERAL INFORMATION

Petition Number:	RZ-22-002
Applicant:	Nick Faber, IDI Logistics
Owner:	James W. Kelly, Jr. and Daniel H. Kelly
Project Location:	2300, 2330, 2368 and 2376 South Stone Mountain Lithonia Rd and 1801 Coffee Rd.
Parcels:	16-125-01-002, 16-125-01-153, 16-124-01- 003, 16-132-01-019, and 16-132-01-001).
District:	District 1
Acreage:	188.140 +/- acres
Existing Zoning:	M (Light Industrial) / M-2 (Heavy Industrial)
Proposed Zoning:	M (Light Industrial)
Comprehensive Plan Community Area Designation	HIND (Heavy Industrial)
Proposed Development/Request:	The applicant is requesting to rezone the subject properties from M and M-2 for the development of three warehouse building
Staff Recommendations:	<i>Approval/Conditional</i>
Planning Commission	Recommended Approval with Conditions
City Council	Deferred back to Planning Commission for due to incorrect legal ad, property deed and survey

PLANNING COMMISSION

Zoning Map



Zoning Case: RZ-22-002

Address: 2300, 2330, 2368, 2376 South Stone Mountain Lithonia Rd and 1801 Coffee Rd.

Current Zoning: M (Light Industrial) and M-2 (Heavy Industrial)

Proposed Zoning: M (Light Industrial)



Subject Property

PLANNING COMMISSION
Aerial Map

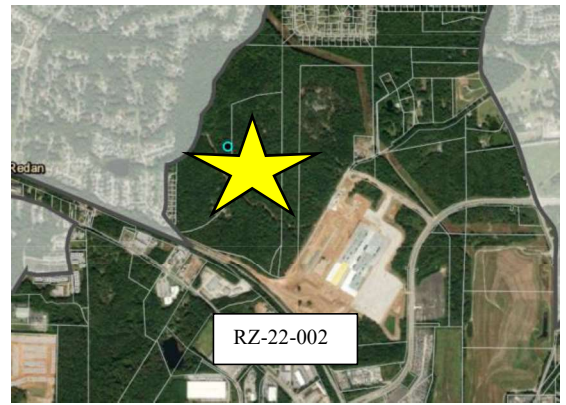


PROJECT OVERVIEW

Location

The subject properties are located at 2300, 2330, 2368, 2376 South Stone Mountain Lithonia Road and 1801 Coffee Road (Parcel IDs: 16-125-01-002, 16-125-01-153, 16-124-01-003, 16-132-01-019, and 16-132-01-001). The Subject Property consists of a ±188.140-acre assemblage off five parcels located in Land Lots 124, 125 and 132, 16th District, City of Stonecrest, DeKalb County, Georgia (“Subject Property”).

The property is bounded by Deshon Estates to the west, by The Villas at Rogers Crossing to the north and Home Depot to the southeast. Located to the south is CRX Transportation Services.

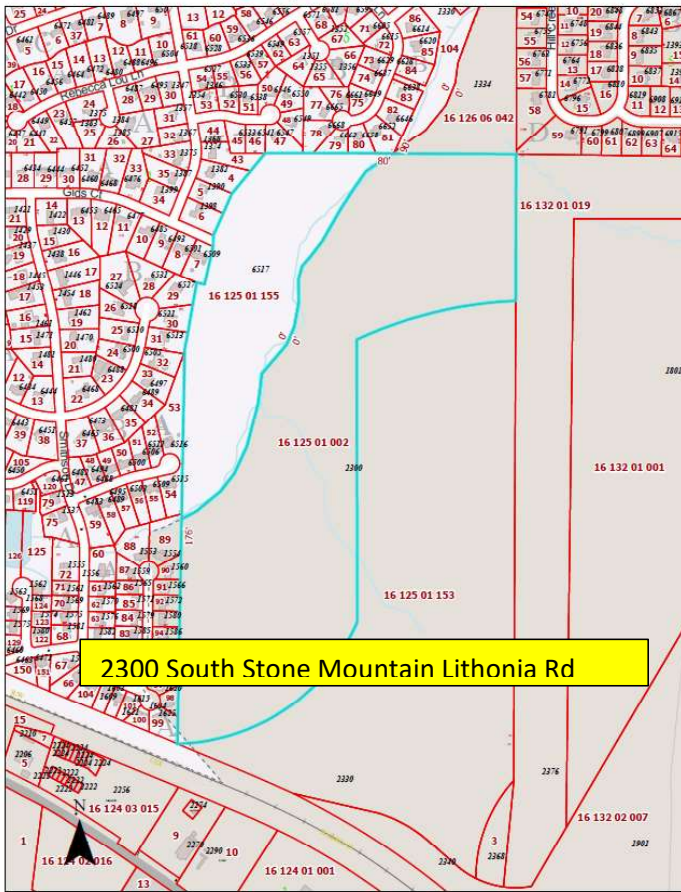


Subject Property

PLANNING COMMISSION

Background:

The applicant is requesting to rezone the 188.140 +/- acres of the subject property from M (Light Industrial) District and M-2 (Heavy Industrial) District to M (Light Industrial) District to allow the development of a three-building warehouse project. Subject Property consisting of three warehouse buildings totaling ±1,932,122 square feet, parking, and associated site improvements. The Applicant intends to rezone all parcels comprising the Subject Property to the M zoning district to create a uniform zoning for the development and allow the consolidation and replatting of the property in the future. In addition, the Applicant seeks to amend the conditions of zoning to better align with current design practices and to allow the Proposed Development. On May 20, 2022, staff was advised by DeKalb County GIS there was a subdivision of Parcel # 16 125 01 002. Parcel 16 125 01 002 have total of 50.61 AC and newly created parcel 16 125 01 155 total acreage 18.08 AC.



Two of the five total parcels that comprise the Subject Property were rezoned on November 24, 1981, then located in unincorporated DeKalb County, from R-100 (Single Family Residential) to M Light Industrial and M-2 Heavy Industrial zoning district pursuant to zoning ordinance Z-81143. Although the subject property was incorporated under the jurisdiction of the City of Stonecrest when it was incorporated, this did not eradicate the 1981 Rezoning conditions. Zoning conditions stay with the land.



PLANNING COMMISSION

The 1981 Rezoning was subject to seventeen conditions, the following conditions are what the applicant is seeking to amend:

1. The height of any building located on the site shall not exceed 40 feet. (#7)
2. All buildings shall use earth tone colors the same being defined as colors which shall attempt to blend with the landscape and foliage located on property. (#10)
3. The fronts of all buildings constructed on the property shall use some brick veneer, stone, wood, or a mixture of some of the same. (#11)
4. Access to the site shall be limited to the Stone Mountain-Lithonia Road or Coffey Road and no streets shall be connected to any existing street or future street which runs, or is to run, through any adjacent residentially zoned property. This paragraph does not apply to Coffey Road. (#14)
5. A cyclone fence of not less than 6 feet in height shall be placed on the North and West property lines of said property. (#17)

The applicant is proposing modern warehouse facilities that will exceed 40 feet in height (48 feet). In addition, tilt-up panel construction has become an industry standard for modern warehouse design and concrete block has become less widely used, as envisioned in the 1981 Rezoning conditions. Furthermore, the 1981 Rezoning conditions call for a cyclone fence along the property lines. The Applicant's site design will provide additional landscaped buffers in lieu of the cyclone fence. The applicant will be providing a minimum of a 150-foot of vegetated buffer (the 150-foot buffer will be composed of 75-foot undisturbed and 75-foot landscaped buffers) along the north and west property lines. In areas where the proposed grading will encroach into the 150' buffer the Applicant will replant with landscaping. Lastly, the 1981 Rezoning requires access to South Stone Mountain Lithonia Road and Coffee Road. The applicant is proposing to utilize Stonecrest Industrial Way areas. the Applicant now seeks to modify the above conditions to match the following wording:

7. The height of any building located on the site shall not exceed 50 feet.
10. All buildings shall use colors in general accordance with the concept elevations.
11. The fronts of any and all buildings constructed on the property will be of a tilt-up concrete panel construction with a color in accordance with the elevations referenced in condition.
14. Access to the site shall be limited to the Stonecrest Industrial Way or Coffey Road and no streets shall be connected to any existing street or future street which runs, or is to run, through any adjacent residentially zoned property. This paragraph does not apply to Coffey Road.
7. A 75-foot vegetated landscape strip shall be placed on the North and West property lines as generally depicted on the site plan, dated February 28, 2022.

The applicant is seeking the following Parking requests:

RZ-22-2002

Planning Commission, August 2, 2022

KJ

5



PLANNING COMMISSION

	1,007,900	
BUILDING 1:	SF	
<hr/>		
DOCK DOORS	180	
AUTO PARKING	503	
TRAILER		
PARKING	228	(FUTURE 120)
	456,840	
BUILDING 2:	SF	
<hr/>		
DOCK DOORS	107	
AUTO PARKING	386	
TRAILER		
PARKING	120	
	467,382	
BUILDING 3:	SF	
<hr/>		
DOCK DOORS	94	
AUTO PARKING	379	
TRAILER		
PARKING	99	
Total Auto Parking:	1268	
Total Trailer		
Parking:	447	(FUTURE 120)
Total Loading Docks:	381	

Required Parking (Warehouse)
 Min. 1 space per 2,500 sf of Floor Area
 Max. 1 space per 500 sf of Floor Area

Required Loading (Warehouse)
 3 spaces up to 99,000 sf + 1 space per
 additional 10,000 sf

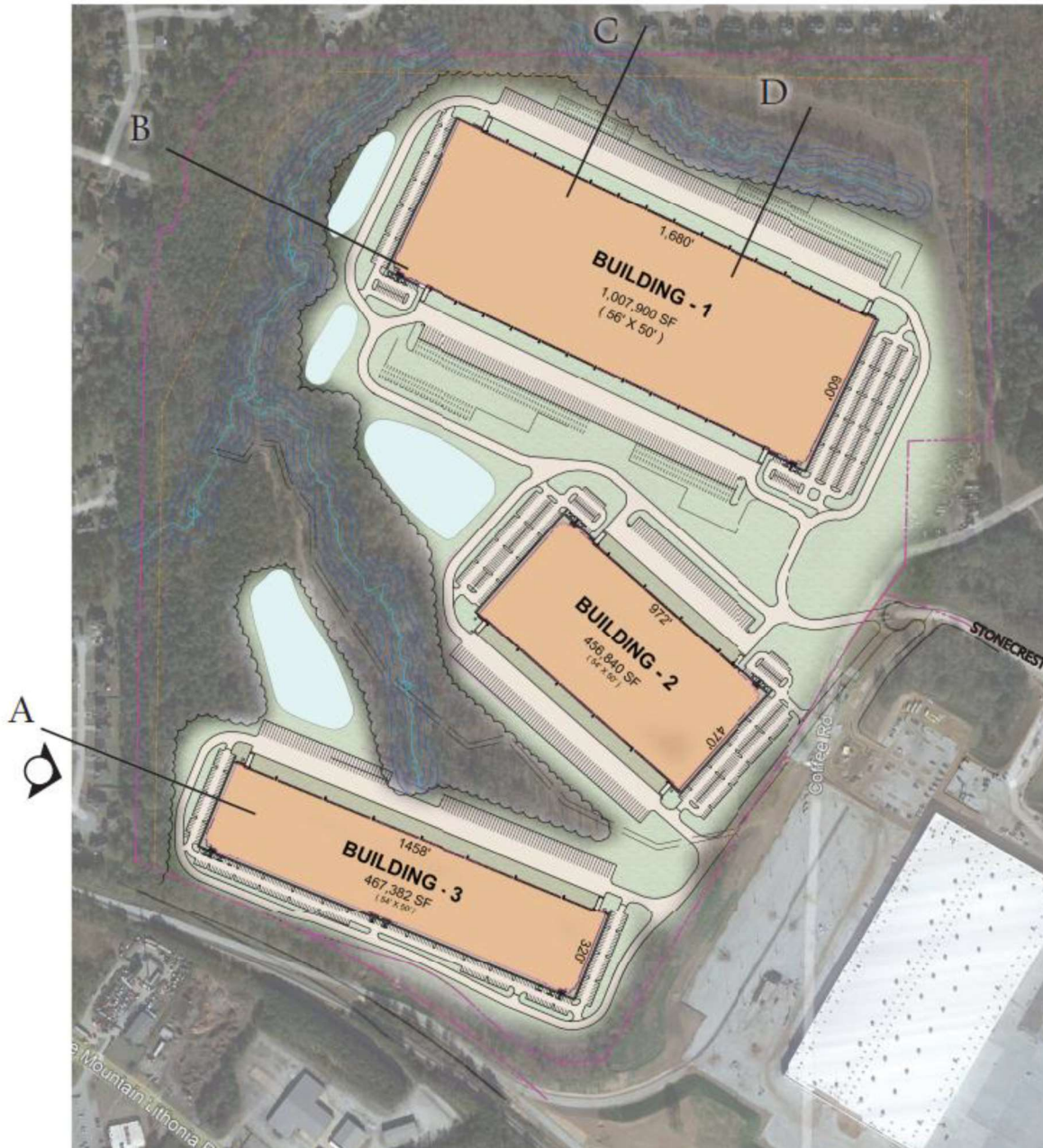
	Floor Area	Min Parking Req.	Max. Parking
BUILDING 1	1,007,900	403.16	2015.8
BUILDING 2	456,840	182.74	913.68
BUILDING 3	467,382	186.95	934.76

	Floor Area	Min Loading Spaces
BUILDING 1	1,007,900	93.79
BUILDING 2	456,840	38.68
BUILDING 3	467,382	39.74

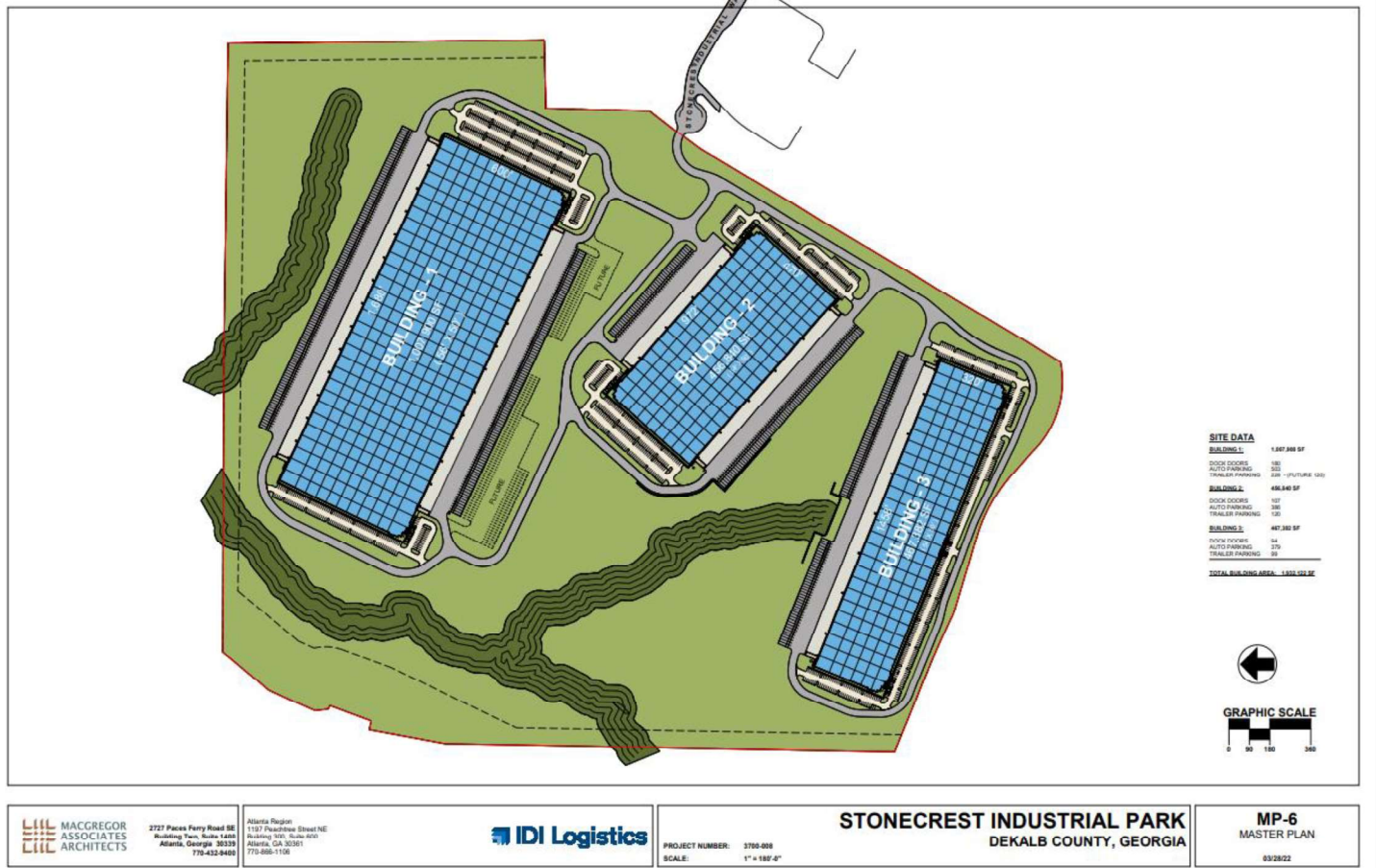
Article 6, Section 6.1.5- "One space for each 500 square feet of floor area"

PLANNING COMMISSION

Conceptual Site Plan



PLANNING COMMISSION



MACGREGOR ASSOCIATES ARCHITECTS
2727 Paces Ferry Road SE
Atlanta, Georgia 30339
770-432-9400

Atlanta Region
1137 Peachtree Street NE
Atlanta, GA 30309
770-888-1100

IDI Logistics

PROJECT NUMBER: 3700-008
SCALE: 1" = 180'-0"

STONECREST INDUSTRIAL PARK
DEKALB COUNTY, GEORGIA

MP-6
MASTER PLAN
03/28/22

Public Participation

Community Planning Information Meeting was on May 24, 2022. There were no surrounding property owner to speak in opposition of the rezoning petition.



PLANNING COMMISSION

STANDARDS OF REZONING REVIEW

Section 7.3.4 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.**

As shown in the table below, the subject property is surrounded by industrial and residential development. *
Please see the map below table

ADJACENT ZONING AND LAND USE		
	Zoning	Zoning Land Use
Adjacent: North	RSM(Residential Small Lot) District	Single-family (The Villas at Rogers Crossing)
Adjacent: East	M (Light Industrial) District	Industrial (Home Depot Flatbed Distribution)
Adjacent: South	M (Light Industrial) District	Industrial (CSX Transportation)
Adjacent: West	R-100 (Med Residential) District and RSM (Residential Small Lot) District	Residential (Deshong Estates Subdivision)



PLANNING COMMISSION

Zoning Criteria, Analysis and Comments

- **Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The existing land use is Heavy Industrial and will not adversely affect the existing use or usability of adjacent or nearby property or properties. The current zoning of the property is the recommended zoning classification for the proposed land use and would be similar to adjacent property and properties.

- **Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

There is one full-access point proposed on Stonecrest Industrial Way within the cul-du-sac, which it is planned to connect to Lithonia Industrial Boulevard. Lithonia Industrial Boulevard provides connection to the regional truck route Rock Chapel Road which is a Regional Thoroughfare and Regional Truck Route. The project is expected to generate a total of 2,012 daily new car trips and 1,036 daily new truck trips. The Transportation Impact Study does not recommend any roadway improvement conditions of approval.

- **Whether the amendment is consistent with the written policies in the comprehensive plan text and any applicable small areas studies.**

The proposed use of a warehouse facility is in accordance with the written policies in the Stonecrest comprehensive plan. The land use designation for the subject properties is HIND, Heavy Industrial.

- **Whether there are potential impacts on property or properties in an adjoining governmental jurisdiction, in cases of proposed changes near county or municipal boundary lines.**

On March 17, 2022, A DRI review of a proposal to construct 1,904,300 SF of industrial space on a 138.12 site on Stonecrest Industrial Way in the City of Stonecrest in Dekalb County. Currently the entire site is forested with significant stream and wetland areas. Three one-story industrial space buildings are proposed: Building 1 with 445,500 SF; Building 2 with 456,840 SF; and Building 3 with 1,002,000 SF. A total of 1,286 car parking spaces and 780 truck/trailer spaces are included. The local DRI review trigger is an application for a land disturbance permit. There will be one phase with build-out expected in 2024.

The site is currently entirely wooded. Additional retention of existing trees on the site would be desirable and in keeping with regional goals regarding carbon sequestration and climate change/heat island effect mitigation. The project can further support The Atlanta Region's Plan in general by incorporating other aspects of regional policy, including green infrastructure and/or low-impact design, e.g., pervious pavers, rain gardens, vegetated swales, etc., in parking areas and site driveways, and as part of any improvements to site frontages. Approximately 33



PLANNING COMMISSION

acres of the site are shown as not disturbed on the site plan. This includes site boundary buffer and stream buffer areas. There may be potential opportunities for linking these fragmented undeveloped areas with adjacent undeveloped or protected areas to ensure their maintenance and productive use.

- **Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.**

There are existing conditions affecting the use and development of the proposed warehouse facility as to why the applicant is seeking a rezoning to amend conditions Z-81143. The current zoning of the property (M) is a permitted zoning classification of warehouse and truck parking.

- **Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed change.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property, therefore there will be no impact on historic buildings.

STANDARDS OF REZONING REVIEW

Section 7.3.5 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.**

Yes. The Proposed Development will complement the existing industrial development in the area and will fully mitigate its impacts on the adjacent single family residential to the north and west. Additionally, the Applicant’s request will not result in a different use than what is allowed under the current zoning, rather to seek a uniform zoning and to make technical changes to the current conditions to allow an updated design. Also, there is no proposed change in intensity beyond what is allowed under the current M-2 and M zoning districts. In addition, the Applicant is proposing enhanced buffers that are a minimum of 150 feet wide along the northern and western property lines to mitigate any impacts on the adjacent property. See attached as Exhibit 3, the concept sight-line sections illustrating the proposed buffers. As a result, the requested modification will have no bearing on the use and development of adjacent properties and will be a positive improvement in design over what the 1981 Rezoning allows.

- **Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The subject property is located within the Heavy Industrial character area of the Stonecrest Comprehensive Plan. The character area intends to lend to both industrial and single-family dwellings in unincorporated DeKalb



PLANNING COMMISSION

County. The proposed zoning change and development of residential development would be in keeping with the policy and intent of the comp plan.

- **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The property is currently zoned M, which permits the development of a light industrial use such as warehousing. The property is also located in residential/industrial area where industrial uses are heavily present. The property does have reasonable economic use as currently zoned.

- **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties. Staff believes the applicant has shown good faith by reaching out to staff several months in advance to discuss the proposed project and has conducted independent meetings with the surrounding community.

- **Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.**

There are existing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal. The current zoning is the same proposed zoning classification.

- **Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property.

- **Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The zoning proposed would not cause excessive burdensome; however limited existing infrastructure in these areas will constrain the amount of additional growth that is possible. Transportation improvements are needed within these Developing Suburbs, but care should be taken not to spur unwanted growth. No EV charging stations are proposed; inclusion of some EV charging stations would be supportive of regional EV infrastructure development plans.

- **Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The zoning proposal will not adversely impact the environment or surrounding natural resources.



PLANNING COMMISSION

STAFF RECOMMENDATION

Staff recommends **APPROVAL/CONDITIONS** of RZ-22-002. The conditions are the following:

1. The applicant shall provide a minimum of 250 feet buffer of natural vegetation between the adjacent residential dwellings along the western and southern property line and 200 feet with 50 feet disturbed and replanted for the northern side (Rogers Lake Crossing) of the property line.
2. The applicant shall dedicate the conservation areas to the City of Stonecrest
3. The applicant shall supply at least 4 EV parking spaces
4. A 50 foot undisturbed, buffer shall be provided along the Western property line South of Lot 31 Block D of Deshong Estates to the Railroad Right-of-way, as shown on said site plan.
5. The applicant shall provide a landscape plan for the entrance off of Coffey Road or either Stone Mountain-Lithonia Road.
6. Any and all roadways, proposed streets, or industrial boulevards found within the site shall be grassed to the edge of the right-of-way, said right-of-way to be not less than 60 feet.
7. All surface water retention facilities shall be designed to 10% above requirements as set forth in the DeKalb County Code.
8. The height of any building shall not exceed 50 feet in height.
9. Rear yard loading and unloading shall be prohibited on all buildings constructed on property which is adjacent to Deshong Estates.
10. No building located on property adjacent to Deshong Estates shall have exposed concrete block.
11. All lighting on buildings located on property adjacent to any existing R-100 zoned property shall be focused and directed toward the building and away from said existing R-100 property.
12. Internal lit signs are prohibited on the property
13. No lights shall be located above the roofline of any building
14. All lights shall be of concealed source type so that the illumination therefrom shall be controlled in a particular direction away from Deshong Estates and Rogers Lake Crossing
15. Signs above the roofline are prohibited
16. Access to the site shall be limited to the Stonecrest Industrial Way or Coffey Road and no streets shall be connected to any existing street or future street which runs, or is to run, through any adjacent residentially zoned property. This paragraph does not apply to Coffey Road.
17. There shall be no discharge of any sewage or waste water into Swift Creek.
18. All truck access shall be through Stonecrest Industrial Way and not through Coffee Road or Rogers Lake Road.
19. All Truck traffic shall be limited to Lithonia Industrial Blvd, through Stonecrest Industrial Way.
20. A plat showing the connection of Stonecrest Industrial Way rights-of-way to the property line for the proposed road shall be provided.
21. Complete any missing sidewalks on Stonecrest Industrial Way to provide pedestrian access to sidewalk on Lithonia Industrial Blvd.
22. Applicant shall produce a Performance Bond compliant to the Stonecrest regulations. Amount will be set once the sidewalk calculations have been received.

**EXHIBIT B
(SEE ATTACHED)**

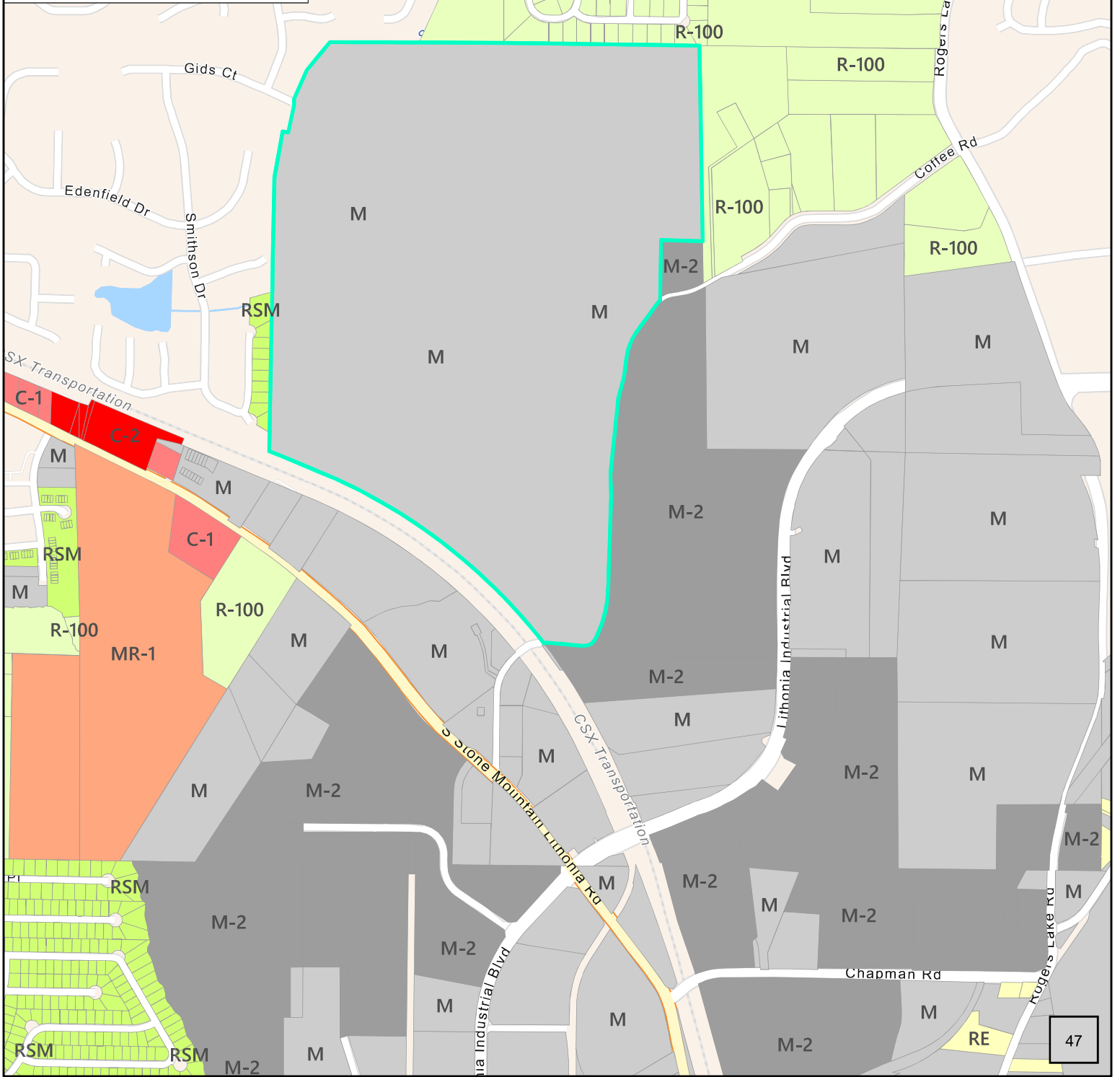
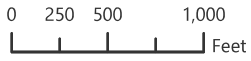
Proposed rezoning & combination of
 2300, 2300, 2368, 2376
 South Stone Mountain Lithonia Rd
 and 1801 Coffee Rd

Item VIII. a.

- Zoning**
- C-1 - Local Commercial
 - C-2 - General Commercial
 - M - Light Industrial
 - M-2 - Heavy Industrial
 - MR-1 - Med Density Residential
 - R-100 - Residential Med Lot
 - RE - Residential Estate
 - RSM - Small Lot Residential Mix

Zoning Case

Zoning Case





REGIONAL REVIEW FINDING

Atlanta Regional Commission • 229 Peachtree Street NE | Suite 100 | Atlanta, Georgia 30303 • ph: 404.463.3100 fax: 404.463.3205 • atlantaregional.org

DATE: April 13, 2022

TO: Mayor Pro Tem George Turner, City of Stonecrest
ATTN TO: Keedra Jackson, Senior Planner, City of Stonecrest
FROM: Mike Alexander, Director, ARC Center for Livable Communities
RE: Development of Regional Impact (DRI) Review

ARC has completed a regional review of the below DRI. ARC reviewed the DRI's relationship to regional plans, goals and policies, and impacts it may have on the activities, plans, goals and policies of other local jurisdictions as well as state, federal and other agencies. This final report does not address whether the DRI is or is not in the best interest of the host local government.

Name of Proposal: Stonecrest Logistics Center DRI 3584

Submitting Local Government: City of Stonecrest

Date Opened: March 17, 2022

Date Closed: April 13, 2022

Description: A DRI Review of a proposal to construct 1,904,300 SF of industrial space on a 138.12 site on Stonecrest Industrial Way in the City of Stonecrest in Dekalb County. Currently the entire site is forested with significant stream and wetland areas. Three one-story industrial space buildings are proposed: Building 1 with 445,500 SF; Building 2 with 456,840 SF; and Building 3 with 1,002,000 SF. A total of 1,286 car parking spaces and 780 truck/trailer spaces are included. The local DRI review trigger is an application for a land disturbance permit. There will be one phase with build-out expected in 2024.

Comments:

Key Comments

The project is not aligned with the applicable Developing Suburbs growth policy recommendations which state: "There is a need in these areas for additional preservation of critical environmental locations and resources, as well as agricultural and forest uses." It could be better aligned through retention of additional wooded area within the site and officially dedicating the proposed undisturbed areas as open space.

The project is expected to generate approximately 2,012 daily new car trips and 1,036 daily new truck trips. Opportunities to utilize multi-modal strategies are limited by the site's warehouse use and location; an internal sidewalk network will connect to the external sidewalk system for general pedestrian access and for connectivity to MARTA bus stops within walking/shuttle distance.

A blue line stream, Swift Creek, and its tributaries run through the property. Plans show a portion of the truck staging area for proposed Building Three intruding over the buffers at the headwaters of the south central unnamed tributary of Swift Creek. The truck staging area, as well as any associated mass grading, that intrudes into buffers may require a variance from the City and the State.

The project will affect regulated wetlands on the site. The applicant has stated that an Army Corp NWP 39 will be obtained and mitigation bank credit will be purchased to offset the impacts.

Incorporation of green stormwater and heat island mitigation approaches for the roughly 1,286 car parking spaces and 1,149 truck loading/trailer drop spaces proposed would be supportive of regional environmental policies.

No EV charging stations are proposed; inclusion of some EV charging stations would be supportive of regional EV infrastructure development plans.

General Comments

According to the ARC Unified Growth Policy Map (UGPM), part of The Atlanta Region's Plan, the site of this DRI is designated as Developing Suburbs. The Plan's Regional Development Guide (RDG) details general information and policy recommendations for Developing Suburbs which are provided at the end of these comments.

Transportation and Mobility Comments

ARC's Transportation Access and Mobility Group comments are attached.

Comments note that the project will be served by Lithonia Industrial Boulevard which directly connects with Rock Chapel Road/SR 124 which is a Regional Thoroughfare and Regional Truck Route.

The project is expected to generate a total of 2,012 daily new car trips and 1,036 daily new truck trips. The Transportation Impact Study does not recommend any roadway improvement conditions of approval.

Opportunities to utilize multi-modal strategies are limited by the site's warehouse use and location. An internal sidewalk network will connect to the external sidewalk system for general pedestrian access and for connectivity to MARTA bus stops within walking/shuttle distance. MARTA comments noted that the actual walking distance from the building entrances to the closest MARTA bus stops may be a little more than a mile.

Care should be taken to ensure that the constructed development provides an interconnected, functional, clearly marked and comfortable pedestrian experience on all driveways, paths, entrances, and parking areas. To the maximum extent possible, new driveways and intersection corners where pedestrians will cross should be constructed with minimal curb radii to reduce speeds of turning vehicles and decrease crossing distances for pedestrians.

ARC Natural Resources Comments

ARC's Natural Resources Group comments are attached.

Both the site plan and the USGS coverage for the project area show a blue line stream, Swift Creek running in the northwest portion of the project property. The site plan also shows two unnamed tributaries to Swift Creek in the south central and northern portions of the property. The City's 50-foot stream buffer and 75-foot impervious setback, as well as the State 25-foot Sediment and Erosion Control buffer, are shown along all streams on the plans.

The plans show a portion of the truck staging area for the proposed Building Three intruding over the buffers at the headwaters of the south central unnamed tributary. A sewer easement is also shown crossing this tributary but there is no indication as to whether it is existing or proposed. The truck staging area, as well as any associated mass grading, may require a variance from the City and the State. If proposed, the sewer easement shown may also require variances from the City and State. Any unmapped streams on the property may also be subject to the City and State buffers. Any unmapped waters of the state will also be subject to the State 25-foot Sediment and Erosion Control buffer.

Other Environment Comments

The site is currently entirely wooded. Additional retention of existing trees on the site would be desirable and in keeping with regional goals regarding carbon sequestration and climate change/heat island effect mitigation.

The project can further support The Atlanta Region's Plan in general by incorporating other aspects of regional policy, including green infrastructure and/or low-impact design, e.g., pervious pavers, rain gardens, vegetated swales, etc., in parking areas and site driveways, and as part of any improvements to site frontages.

Approximately 33 acres of the site are shown as not disturbed on the site plan. This includes site boundary buffer and stream buffer areas. There may be potential opportunities for linking these fragmented undeveloped areas with adjacent undeveloped or protected areas to ensure their maintenance and productive use.

No EV charging stations are proposed; inclusion of some EV charging stations would be supportive of regional EV infrastructure development plans.

Unified Growth Policy: Developing Suburbs

Developing Suburbs are areas in the region where suburban development has occurred, and the conventional development pattern is present but not set. These areas are characterized by residential development with pockets of commercial and industrial development. These areas represent the extent of

the urban service area. There is a need in these areas for additional preservation of critical environmental locations and resources, as well as agricultural and forest uses. Limited existing infrastructure in these areas will constrain the amount of additional growth that is possible. Transportation improvements are needed within these Developing Suburbs, but care should be taken not to spur unwanted growth.

While the intensity and use of the proposed project are in keeping with the City of Stonecrest's industrial land use and zoning designations for the parcel, the project is not aligned with The Atlanta Region's Plan's recommendations for Developing Suburbs. The project could be made more responsive to the regional Developing Suburbs goals and policies by retaining as much existing wooded area as possible, officially dedicating conservation areas, and employing green infrastructure in the large surface parking areas. City of Stonecrest leadership and staff, along with the applicant team, should collaborate closely to ensure absolute maximum sensitivity to nearby local governments, neighborhoods, land uses and natural resources.

THE FOLLOWING LOCAL GOVERNMENTS AND AGENCIES RECEIVED NOTICE OF THIS REVIEW:

ATLANTA REGIONAL COMMISSION	GEORGIA DEPARTMENT OF NATURAL RESOURCE	GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
GEORGIA DEPARTMENT OF TRANSPORTATION	GEORGIA REGIONAL TRANSPORTATION AUTHORITY	GEORGIA SOIL AND WATER CONSERVATION COMMISSION
GEORGIA ENVIRONMENTAL FINANCE AUTHORITY	GEORGIA CONSERVANCY	CITY OF STONECREST
DEKALB COUNTY	MARTA	CITY OF LITHONIA
GWINNETT COUNTY	ROCKDALE COUNTY	CITY OF LITHONIA

If you have any questions regarding this review, please contact Donald Shockey at (470) 378-1531 or dshockey@atlantaregional.org. This finding will be published to the ARC review website located at <http://atlantaregional.org/plan-reviews>.



Developments of Regional Impact

- [DRI Home](#)
- [Tier Map](#)
- [Apply](#)
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DRI #3584

DEVELOPMENT OF REGIONAL IMPACT Initial DRI Information

This form is to be completed by the city or county government to provide basic project information that will allow the RDC to determine if the project appears to meet or exceed applicable DRI thresholds. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

Local Government Information

Submitting Local Government: City of Stonecrest
 Individual completing form: Keedra T. Jackson
 Telephone: 470-542-0057
 E-mail: kjackson@stonecrestga.gov

*Note: The local government representative completing this form is responsible for the accuracy of the information contained herein. If a project is to be located in more than one jurisdiction and, in total, the project meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for initiating the DRI review process.

Proposed Project Information

Name of Proposed Project: Stonecrest Logistics Center
 Location (Street Address, GPS Coordinates, or Legal Land Lot Description): Stonecrest Industrial Way
 Brief Description of Project: The proposed development will consist of 1,904,300 square feet (sf) of industrial space on a 138.12-acre plot.

Development Type:

- | | | |
|--|---|---|
| <input type="radio"/> (not selected) | <input type="radio"/> Hotels | <input type="radio"/> Wastewater Treatment Facilities |
| <input type="radio"/> Office | <input type="radio"/> Mixed Use | <input type="radio"/> Petroleum Storage Facilities |
| <input type="radio"/> Commercial | <input type="radio"/> Airports | <input type="radio"/> Water Supply Intakes/Reservoirs |
| <input checked="" type="radio"/> Wholesale & Distribution | <input type="radio"/> Attractions & Recreational Facilities | <input type="radio"/> Intermodal Terminals |
| <input type="radio"/> Hospitals and Health Care Facilities | <input type="radio"/> Post-Secondary Schools | <input type="radio"/> Truck Stops |
| <input type="radio"/> Housing | <input type="radio"/> Waste Handling Facilities | <input type="radio"/> Any other development types |
| <input type="radio"/> Industrial | <input type="radio"/> Quarries, Asphalt & Cement Plants | |

If other development type, describe:

Project Size (# of units, floor area, etc.): 6,016,507.2 SF

Developer: IDI Logistics

Mailing Address: 1197 Peachtree Street, NE

Address 2: Suite 600

City:Atlanta State: GA Zip:30361

Telephone: 77-8411500

Email: gary.minor@idilogistics.com

Is property owner different from developer/applicant? (not selected) Yes No

If yes, property owner:

Is the proposed project entirely located within your local government's jurisdiction? (not selected) Yes No

Item VIII. a.

If no, in what additional jurisdictions is the project located?

Is the current proposal a continuation or expansion of a previous DRI? (not selected) Yes No

If yes, provide the following information: Project Name: Project ID:

The initial action being requested of the local government for this project: Rezoning Variance Sewer Water Permit Other

Is this project a phase or part of a larger overall project? (not selected) Yes No

If yes, what percent of the overall project does this project/phase represent?

Estimated Project Completion Dates: This project/phase: 1/24/2024 Overall project: 12/31/2024

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Developments of Regional Impact

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DRI #3584

DEVELOPMENT OF REGIONAL IMPACT Additional DRI Information

This form is to be completed by the city or county government to provide information needed by the RDC for its review of the proposed DRI. Refer to both the [Rules for the DRI Process](#) and the [DRI Tiers and Thresholds](#) for more information.

Local Government Information

Submitting Local Government: City of Stonecrest
 Individual completing form: Keedra T. Jackson
 Telephone: 470-542-0057
 Email: kjackson@stonecrestga.gov

Project Information

Name of Proposed Project: Stonecrest Logistics Center
 DRI ID Number: 3584
 Developer/Applicant: IDI Logistics
 Telephone: 77-8411500
 Email(s): gary.minor@idilogistics.com

Additional Information Requested

Has the RDC identified any additional information required in order to proceed with the official regional review process? (If no, proceed to Economic Impacts.)
 (not selected) Yes No

If yes, has that additional information been provided to your RDC and, if applicable, GRTA?
 (not selected) Yes No

If no, the official review process can not start until this additional information is provided.

Economic Development

Estimated Value at Build-Out: 198,000,000

Estimated annual local tax revenues (i.e., property tax, sales tax) likely to be generated by the proposed development: 1,800,000

Is the regional work force sufficient to fill the demand created by the proposed project?
 (not selected) Yes No

Will this development displace any existing uses?
 (not selected) Yes No

If yes, please describe (including number of units, square feet, etc):

Water Supply

Name of water supply provider for this site: DeKalb County

What is the estimated water supply demand to be generated by the project, measured in Millions of Gallons Per Day (MGD)?

0.042 MGD

Is sufficient water supply capacity available to serve the proposed project? (not selected) Yes No

If no, describe any plans to expand the existing water supply capacity:

Is a water line extension required to serve this project? (not selected) Yes No

If yes, how much additional line (in miles) will be required?

Wastewater Disposal

Name of wastewater treatment provider for this site: DeKalb County

What is the estimated sewage flow to be generated by the project, measured in Millions of Gallons Per Day (MGD)?

0.042 MGD

Is sufficient wastewater treatment capacity available to serve this proposed project? (not selected) Yes No

If no, describe any plans to expand existing wastewater treatment capacity:

Is a sewer line extension required to serve this project? (not selected) Yes No

If yes, how much additional line (in miles) will be required?

Land Transportation

How much traffic volume is expected to be generated by the proposed development, in peak hour vehicle trips per day? (If only an alternative measure of volume is available, please provide.) Peak hour trips are 255 (in PM) & 252 (in AM). Daily trips are 3, 048.

Has a traffic study been performed to determine whether or not transportation or access improvements will be needed to serve this project? (not selected) Yes No

Are transportation improvements needed to serve this project? (not selected) Yes No

If yes, please describe below:

Solid Waste Disposal

How much solid waste is the project expected to generate annually (in tons)? 1,100 tons

Is sufficient landfill capacity available to serve this proposed project? (not selected) Yes No

If no, describe any plans to expand existing landfill capacity:

Will any hazardous waste be generated by the development? (not selected) Yes No

If yes, please explain:

Stormwater Management

What percentage of the site is projected to be impervious surface once the proposed development has been constructed? 50%

Describe any measures proposed (such as buffers, detention or retention ponds, pervious parking areas) to mitigate the project's impacts on stormwater management: The site will utilize a stormwater facility with water quality, channel protection and detention to treat the water.

Environmental Quality

Is the development located within, or likely to affect any of the following:

- 1. Water supply watersheds? (not selected) Yes No
- 2. Significant groundwater recharge areas? (not selected) Yes No
- 3. Wetlands? (not selected) Yes No
- 4. Protected mountains? (not selected) Yes No
- 5. Protected river corridors? (not selected) Yes No
- 6. Floodplains? (not selected) Yes No
- 7. Historic resources? (not selected) Yes No
- 8. Other environmentally sensitive resources? (not selected) Yes No

If you answered yes to any question above, describe how the identified resource(s) may be affected:
An Army Corp NWP 39 will be obtained for the site and mitigation bank credit will be purchased to offset the impacts.

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Development of Regional Impact Assessment of Consistency with the Regional Transportation Plan

DRI INFORMATION

DRI Number #3584
DRI Title Stonecrest Logistics Center
County DeKalb County
City (if applicable) Stonecrest
Address / Location Stonecrest Industrial Way northwest of Lithonia Boulevard

Proposed Development Type: It is proposed to develop a 1,904,300-sf industrial development.

Build Out: 2024

Review Process EXPEDITED
 NON-EXPEDITED

REVIEW INFORMATION

Prepared by ARC Transportation Access and Mobility Division
Staff Lead Aries Little
Copied Marquitrice Mangham
Date March 16, 2022

TRAFFIC STUDY

Prepared by NV5 Engineers and Consultants, Inc.
Date March 2, 2022

REGIONAL TRANSPORTATION PLAN PROJECTS

01. Did the traffic analysis incorporate all projects contained in the current version of the fiscally constrained RTP which are within the study area or along major transportation corridors connecting the study area with adjacent jurisdictions?

YES (provide the regional plan referenced and the page number of the traffic study where relevant projects are identified)

[Click here to provide comments.](#)

NO (provide comments below)

There are no projects identified in the fiscally constrained RTP.

REGIONAL NETWORKS

02. Will the development site be directly served by any roadways identified as Regional Thoroughfares?

A Regional Thoroughfare is a major transportation corridor that serves multiple ways of traveling, including walking, bicycling, driving, and riding transit. It connects people and goods to important places in metropolitan Atlanta. A Regional Thoroughfare's operations should be managed through application of special traffic control strategies and suitable land development guidelines in order to maintain travel efficiency, reliability, and safety for all users. In light of the special function that Regional Thoroughfares serve in supporting cross-regional and interjurisdictional mobility and access, the network receives priority consideration for infrastructure investment in the Metro Atlanta region. Any access points between the development and a Regional Thoroughfare, combined with the development's on-site circulation patterns, must be designed with the goal of preserving the highest possible level of capacity and safety for all users of the roadway.

NO

YES (identify the roadways and existing/proposed access points)

There is one full-access driveway proposed on Stonecrest Industrial Way within the cul-du-sac, which it is planned to connect to Lithonia Industrial Boulevard. Lithonia Industrial Boulevard which provides connection to the regional thoroughfare Rock Chapel Road/SR 124.

03. Will the development site be directly served by any roadways identified as Regional Truck Routes?

A Regional Truck Route is a freeway, state route or other roadway which serves as a critical link for the movement of goods to, from and within the Region by connecting airports, intermodal/multimodal facilities, distribution and warehousing centers and manufacturing clusters with the rest of the state and nation. These facilities often serve a key mobility and access function for other users as well, including drivers, bicyclists, pedestrians and transit users. A Regional Truck Route’s operations should be managed through application of special traffic control strategies and suitable land development guidelines in order to maintain travel efficiency, reliability, and safety for all users. In light of the special function that Regional Truck Routes serve in supporting cross-regional and interjurisdictional mobility and access, the network receives priority consideration for infrastructure investment in the Metro Atlanta region. Any access points between the development and a Regional Truck Route, combined with the development’s on-site circulation patterns, must be designed with the goal of preserving the highest possible level of capacity and safety for all users of the roadway.

- NO
- YES (*identify the roadways and existing/proposed access points*)

There is one full-access point proposed on Stonecrest Industrial Way within the cul-du-sac, which it is planned to connect to Lithonia Industrial Boulevard. Lithonia Industrial Boulevard provides connection to the regional truck route Rock Chapel Road.

04. If the development site is within one mile of an existing rail service, provide information on accessibility conditions.

Access between major developments and transit services provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce congestion. If a transit service is available nearby, but walking or bicycling between the development site and the nearest station is a challenge, the applicable local government(s) is encouraged to make the route a funding priority for future walking and bicycling infrastructure improvements.

- NOT APPLICABLE (*nearest station more than one mile away*)
- RAIL SERVICE WITHIN ONE MILE (*provide additional information below*)

Operator / Rail Line

Nearest Station [Click here to enter name of operator and rail line](#)

- Distance*
- Within or adjacent to the development site (0.10 mile or less)
 - 0.10 to 0.50 mile
 - 0.50 to 1.00 mile

Walking Access* Sidewalks and crosswalks provide sufficient connectivity

- Sidewalk and crosswalk network is incomplete
- Not applicable (*accessing the site by walking is not consistent with the type of development proposed*)

[Click here to provide comments.](#)

Bicycling Access*

- Dedicated paths, lanes or cycle tracks provide sufficient connectivity
- Low volume and/or low speed streets provide connectivity
- Route follows high volume and/or high speed streets
- Not applicable (*accessing the site by bicycling is not consistent with the type of development proposed*)

Transit Connectivity

- Fixed route transit agency bus service available to rail station
- Private shuttle or circulator available to rail station
- No services available to rail station
- Not applicable (*accessing the site by transit is not consistent with the type of development proposed*)

[Click here to provide comments.](#)

* *Following the most direct feasible walking or bicycling route to the nearest point on the development site*

05. If there is currently no rail transit service within one mile of the development site, is nearby rail service planned in the fiscally constrained RTP?

Access between major developments and transit services provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce traffic congestion. If a transit agency operates within the jurisdiction and expansion plans are being considered in the general vicinity of the development site, the agency should give consideration to how the site can be best served during the evaluation of alignments and station locations. Proactive negotiations with the development team and local government(s) are encouraged to determine whether right-of-way within the site should be identified and protected for potential future service. If direct service to the site is not feasible or cost effective, the transit agency and local government(s) are encouraged to ensure good walking and bicycling access accessibility is provided between the development and the future rail line. These improvements should be considered fundamental components of the overall transit expansion project, with improvements completed concurrent with or prior to the transit service being brought online.

- NOT APPLICABLE (rail service already exists)
- NOT APPLICABLE (accessing the site by transit is not consistent with the type of development proposed)
- NO (no plans exist to provide rail service in the general vicinity)
- YES (provide additional information on the timeframe of the expansion project below)
 - CST planned within TIP period
 - CST planned within first portion of long range period
 - CST planned near end of plan horizon

[Click here to provide comments.](#)

06. If the development site is within one mile of fixed route bus services (including any privately operated shuttles or circulators open to the general public), provide information on walking and bicycling accessibility conditions.

Access between major developments and transit services provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce congestion. If a transit service is available nearby, but walking or bicycling between the development site and the nearest station is a challenge, the applicable local government(s) is encouraged to make the connection a funding priority for future walking and bicycling infrastructure improvements.

NOT APPLICABLE (nearest bus, shuttle or circulator stop more than one mile away)

SERVICE WITHIN ONE MILE (provide additional information below)

Operator(s) MARTA

Bus Route(s) Route 116

Distance* Within or adjacent to the development site (0.10 mile or less)

0.10 to 0.50 mile

0.50 to 1.00 mile

Walking Access* Sidewalks and crosswalks provide sufficient connectivity

Sidewalk and crosswalk network is incomplete

Not applicable (accessing the site by walking is not consistent with the type of development proposed)

[Click here to provide comments.](#)

Bicycling Access* Dedicated paths, lanes or cycle tracks provide sufficient connectivity

Low volume and/or low speed streets provide sufficient connectivity

Route uses high volume and/or high speed streets

Not applicable (accessing the site by bicycling is not consistent with the type of development proposed)

* Following the most direct feasible walking or bicycling route to the nearest point on the development site

07. Does a transit agency which provides rail and/or fixed route bus service operate anywhere within the jurisdiction in which the development site is located?

Access between major developments and transit services provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce traffic congestion. If a transit agency operates within the jurisdiction and a comprehensive operations plan update is undertaken, the agency should give consideration to serving the site during the evaluation of future routes, bus stops and transfer facilities. If the nature of the development is amenable to access by transit, walking or bicycling, but direct service to the site is not feasible or cost effective, the transit agency and local government(s) should ensure good walking and bicycling access accessibility is provided between the development and any routes within a one mile radius. The applicable local government(s) is encouraged to make these connections a funding priority for future walking and bicycling infrastructure improvements.

- NO
- YES

MARTA provides fixed route bus service within the jurisdiction.

08. If the development site is within one mile of an existing multi-use path or trail, provide information on accessibility conditions.

Access between major developments and walking/bicycling facilities provide options for people who cannot or prefer not to drive, expand economic opportunities by better connecting people and jobs, and can help reduce traffic congestion. If connectivity with a regionally significant path or trail is available nearby, but walking or bicycling between the development site and those facilities is a challenge, the applicable local government(s) is encouraged to make the route a funding priority for future walking and bicycling infrastructure improvements.

- NOT APPLICABLE (nearest path or trail more than one mile away)
- YES (provide additional information below)

Name of facility

[Click here to provide name of facility.](#)

Distance

- Within or adjacent to development site (0.10 mile or less)
- 0.15 to 0.50 mile
- 0.50 to 1.00 mile

Walking Access*

- Sidewalks and crosswalks provide connectivity
- Sidewalk and crosswalk network is incomplete
- Not applicable (accessing the site by walking is not consistent with the type of development proposed)

Bicycling Access*

- Dedicated lanes or cycle tracks provide connectivity
- Low volume and/or low speed streets provide connectivity

- Route uses high volume and/or high speed streets
- Not applicable (*accessing the site by bicycling is not consistent with the type of development proposed*)

* *Following the most direct feasible walking or bicycling route to the nearest point on the development site*

OTHER TRANSPORTATION DESIGN CONSIDERATIONS

09. Does the site plan provide for the construction of publicly accessible local road or drive aisle connections with adjacent parcels?

The ability for drivers and bus routes to move between developments without using the adjacent arterial or collector roadway networks can save time and reduce congestion. Such opportunities should be considered and proactively incorporated into development site plans whenever possible.

- YES (*connections to adjacent parcels are planned as part of the development*)
- YES (*stub outs will make future connections possible when adjacent parcels redevelop*)
- NO (*the site plan precludes future connections with adjacent parcels when they redevelop*)
- OTHER (*Please explain*)

10. Does the site plan enable pedestrians and bicyclists to move between destinations within the development site safely and conveniently?

The ability for walkers and bicyclists to move within the site safely and conveniently reduces reliance on vehicular trips, which has congestion reduction and health benefits. Development site plans should incorporate well designed and direct sidewalk connections between all key destinations. To the extent practical, bicycle lanes or multiuse paths are encouraged for large acreage sites and where high volumes of bicyclists and pedestrians are possible.

- YES (*sidewalks provided on all key walking routes and both sides of roads whenever practical and bicyclists should have no major issues navigating the street network*)
- PARTIAL (*some walking and bicycling facilities are provided, but connections are not comprehensive and/or direct*)
- NO (*walking and bicycling facilities within the site are limited or nonexistent*)
- NOT APPLICABLE (*the nature of the development does not lend itself to internal walking and bicycling trips*)
- OTHER (*Please explain*)

11. Does the site plan provide the ability to construct publicly accessible bicycling and walking connections with adjacent parcels which may be redeveloped in the future?

The ability for walkers and bicyclists to move between developments safely and conveniently reduces reliance on vehicular trips, which has congestion reduction and health benefits. Such opportunities should be considered and proactively incorporated into development site plans whenever possible.

- YES (connections to adjacent parcels are planned as part of the development)
- YES (stub outs will make future connections possible when adjacent parcels redevelop)
- NO (the development site plan does not enable walking or bicycling to/from adjacent parcels)
- NO (the site plan precludes future connections with adjacent parcels when they redevelop)
- NOT APPLICABLE (adjacent parcels are not likely to develop or redevelop in the near future)
- NOT APPLICABLE (the nature of the development or adjacent parcels does not lend itself to interparcel walking and bicycling trips)

12. Does the site plan effectively manage truck movements and separate them, to the extent possible, from the flow of pedestrians, bicyclists and motorists both within the site and on the surrounding road network?

The ability for delivery and service vehicles to efficiently enter and exit major developments is often key to their economic success. So is the ability of visitors and customers being able to move around safely and pleasantly within the site. To the extent practical, truck movements should be segregated by minimizing the number of conflict points with publicly accessible internal roadways, sidewalks, paths and other facilities.

- YES (truck routes to serve destinations within the site are clearly delineated, provide ample space for queuing and turning around, and are separated from other users to the extent practical)
- PARTIAL (while one or more truck routes are also used by motorists and/or interface with primary walking and bicycling routes, the site plan mitigates the potential for conflict adequately)
- NO (one or more truck routes serving the site conflict directly with routes likely to be used heavily by pedestrians, bicyclists and/or motorists)
- NOT APPLICABLE (the nature of the development will not generate a wide variety of users and/or very low truck volumes, so the potential for conflict is negligible)

RECOMMENDATIONS

13. Do the transportation network recommendations outlined in the traffic study appear to be feasible from a constructability standpoint?

- UNKNOWN (additional study is necessary)

YES (based on information made available through the review process; does not represent a thorough engineering / financial analysis)

NO (see comments below)

[Click here to enter text.](#)

14. Is ARC aware of any issues with the development proposal which may result in it being opposed by one or more local governments, agencies or stakeholder groups?

NO (based on information shared with ARC staff prior to or during the review process; does not reflect the outcome of an extensive stakeholder engagement process)

YES (see comments below)

[Click here to enter text.](#)

15. ARC offers the following additional comments for consideration by the development team and/or the applicable local government(s):

STONECREST LOGISTICS CENTER DRI
City of Stonecrest
Natural Resources Group Comments
March 14, 2022

While ARC and the Metropolitan North Georgia Water Planning District have no regulatory or review authority over this project, the Natural Resources Group has identified City and State regulations that could apply to this property. Other regulations may also apply that we have not identified.

Watershed Protection

The proposed project is in the Yellow River watershed which is not a water supply watershed within the Atlanta Region or the Metropolitan North Georgia Water Planning District and is not subject to the Part 5 Water Supply Watershed Criteria of the 1989 Georgia Planning Act.

Stream Buffers

Both the site plan and the USGS coverage for the project area show a blue line stream, Swift Creek running in the northwest portion of the project property. The site plan also shows two unnamed tributaries to Swift Creek in the south central and northern portions of the property. The City's 50-foot stream buffer and 75-foot impervious setback, as well as the State 25-foot Sediment and Erosion Control buffer, are shown along all streams on the plans. The plans show a portion of the truck staging area for the proposed Building Three intruding over the buffers at the headwaters of the south central unnamed tributary. A sewer easement is also shown crossing this tributary but there is no indication as to whether it is existing or proposed. The truck staging area, as well as any associated mass grading, may require a variance from the City and the State. If proposed, the sewer easement shown may also require variances from the City and State. Any unmapped streams on the property may also be subject to the City and State buffers. Any unmapped waters of the state will also be subject to the State 25-foot Sediment and Erosion Control buffer.

Stormwater/Water Quality

The project should adequately address the impacts of the proposed development on stormwater runoff and downstream water quality.

During the planning phase, the stormwater management system (system) should meet the requirements of the local jurisdiction's post-construction (or post-development) stormwater management ordinance. The system should be designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and enhance and promote the public health, safety and general welfare. The system design should also be in accordance with the applicable sections of the Georgia Stormwater Management Manual (www.georgiastormwater.com) such as design standards, calculations, formulas, and methods. Where possible, the project should use stormwater better site design practices included in the Georgia Stormwater Management Manual, Volume 2, Section 2.3.

During construction, the project should conform to the relevant state and federal erosion and sedimentation control requirements.

Item VIII. a.


Urban Engineers, Inc.
 1904 Monroe Drive, N.E., Suite 150
 Atlanta, Georgia, 30324
 Phone: (404) 873-5874
 www.urbanengineers.net

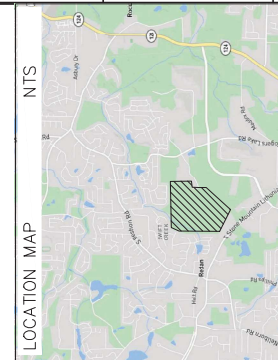
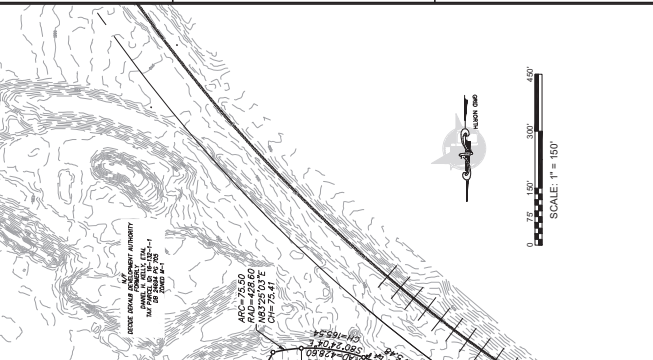


DATE	DESCRIPTION
05/22/2023	ISSUED FOR PERMITS
05/22/2023	ISSUED FOR PERMITS
05/22/2023	ISSUED FOR PERMITS
05/22/2023	ISSUED FOR PERMITS
05/22/2023	ISSUED FOR PERMITS
05/22/2023	ISSUED FOR PERMITS
05/22/2023	ISSUED FOR PERMITS
05/22/2023	ISSUED FOR PERMITS
05/22/2023	ISSUED FOR PERMITS
05/22/2023	ISSUED FOR PERMITS

STONECREST INDUSTRIAL WAY
 STONECREST, GA
 DRI SITE PLAN
 IDI
 PROJECT NO. 22112-7

DRAWING NO. C-1.0
 SHEET NO. 68
 DATE: 12-30-21
 SCALE: 1" = 150'
 COUNTY: DEKALB
 DISTRICT: 16TH
 LAND LOTS: 124, 125 & 132
 PROJECT NO. 22112-7

- STONECREST LOGISTICS CENTER
 PROJECT DATA:
- DR NUMBER: 3094
 - STE AREA: 150,117 ACRES +/-
 - LOT AREA: 150,117 ACRES +/-
 - FLOOR AREA: 4,000,000 SF
 - PERMITTED PER ZONING: 1,000,000 SF @ 11,500 SF +/- 1,270
 - PROPOSED: 1,200
 - HANDICAPPED: 20
 - TRUCK LOADING SPACES: 200
 - TOTAL TRUCK DROPS: 700
 - ROADWAY W/ 20' INDUSTRIAL WAY (60' W/ 10') THROUGH LANES - 40 TURN LANES
 - NO DESIGNATED OPEN SPACE - NONE PROPOSED
 - BIKE PARKING PROPOSED - NONE PROPOSED
 - ADDITIONAL TRUCK DROPS - NONE PROPOSED
 - ELECTRIC CHARGING STATIONS - NONE PROPOSED
 - CAN SHADE / VAPORCOOL SPACES - NONE PROPOSED
 - BUILDING LEASE BREAKDOWN - 0/150 SF WAREHOUSE 1,547,711 SF
 - DOMESTIC WATER PROVIDED BY DEKALB COUNTY
 - GRAVITY FEED SANITARY SEWER PROVIDED BY DEKALB COUNTY
 - 0.5 ACRES OF LAND LOCATED OUTSIDE INDUSTRIAL PARKWAY APPROX 0.5 MILES FROM THE SITE.



CIVIL ENGINEER:
 URBAN ENGINEERS
 1904 MONROE DRIVE
 SUITE 150
 ATLANTA, GA 30324
 PHONE: (404) 873-5874
 CONTACT: DANIEL WINTERMEYER, P. E.

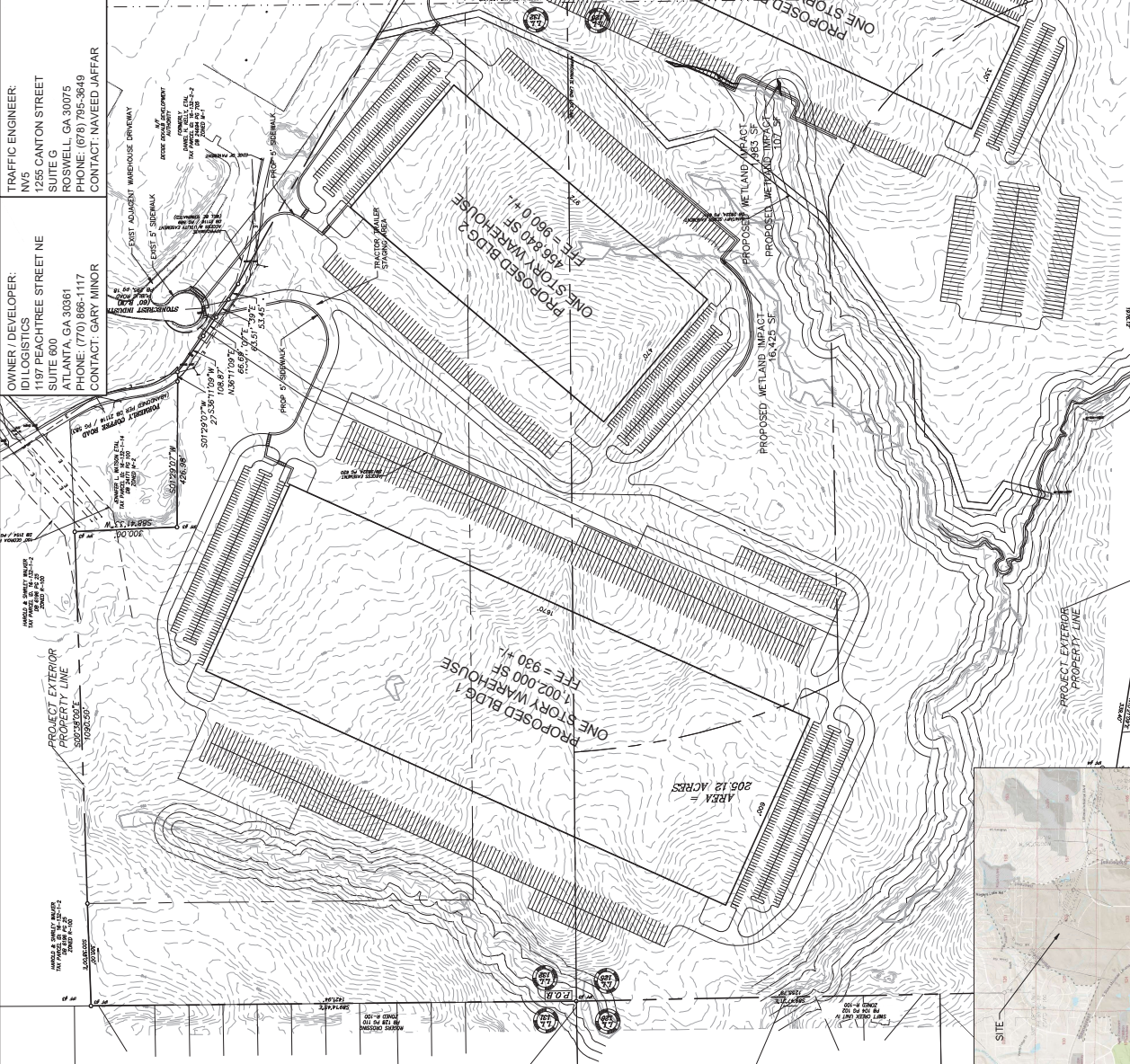
TRAFFIC ENGINEER:
 NVS
 1235 CANTON STREET
 SUITE G
 ROSWELL, GA 30075
 PHONE: (770) 795-3849
 CONTACT: NAVEED JAFFAR

OWNER / DEVELOPER:
 IDI LOGISTICS
 1197 PEACHTREE STREET NE
 SUITE 600
 ATLANTA, GA 30361
 PHONE: (770) 866-1117
 CONTACT: GARY MINOR

PROPOSED BLDG 1
 ONE STORY WAREHOUSE
 FFE = 930 +/-

PROPOSED BLDG 2
 ONE STORY WAREHOUSE
 FFE = 840 +/-

PROPOSED BLDG 3
 ONE STORY WAREHOUSE
 FFE = 955 +/-



JURISDICTIONAL MAP
 NTS



CITY COUNCIL AGENDA ITEM

SUBJECT: RZ-22-004 592 Lounge, LLC

AGENDA SECTION: *(check all that apply)*

PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: **Rezoning**

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, August 22, 2022

SUBMITTED BY: Keedra T. Jackson, Senior Planner of Planning & Zoning

PRESENTER: Ray White, Director of Planning & Zoning

PURPOSE: The applicant is requesting to rezone the subject properties from C-1, Stonecrest Overlay Tier 3 to C-1, Stonecrest Overlay Tier 1.

FACTS: To seek a rezoning from the C-1 (Local Commercial Business) Stonecrest Overlay Tier 3 to the C-1, Stonecrest Overlay Tier 1 to allow for a latenight establishment. Staff is asking to defer this petition back to Planning Commission to be heard on September 6th. The applicant was not in attendance at the Community Planning Information Meeting.

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: To defer back to Planning Commission

ATTACHMENTS:

- (1) Attachment 1 - Cover Letter
- (2) Attachment 2 - Staff Report



CITY COUNCIL AGENDA ITEM

- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.



PLANNING COMMISSION

Planning Commission August 2, 2022 / Mayor and City Council Meeting August 22, 2022

GENERAL INFORMATION

Petition Number: RZ-22-004

Applicant: Calvin Chan

Project Location: 7301 Stonecrest Concourse Boulevard

Proposal: To seek a rezoning from the C-1 (Local Commercial Business) Stonecrest Overlay Tier 3 to the C-1, Stonecrest Overlay Tier 1 to allow for a late-night establishment.

Staff's Recommendation: To defer back to Planning Commission to allow the applicant an additional opportunity to attend the Community Planning Information Meeting.



CITY COUNCIL AGENDA ITEM

SUBJECT: RZ-22-005 3266 Hayden Quarry

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
- NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
- OTHER, PLEASE STATE: **Rezoning**

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, August 22, 2022

SUBMITTED BY: Keedra T. Jackson, Senior Planner of Planning & Zoning

PRESENTER: Ray White, Director of Planning & Zoning

PURPOSE: To develop a 55 single-family attached townhomes.

FACTS: Is seeking to rezone the subject properties from R-100 (Residential Medium Lot) to MR-1 (Medium Density Residential) to develop 55 single-family attached townhomes to be owned fee simple on +/- 6.9 acres of land being Tax Parcel Nos. 16 182 03 001 and 16 182 02 003 having frontage on 3266 and 7407 Hayden Quarry Road.

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: To defer back to Planning Commission

ATTACHMENTS:

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - Click or tap here to enter text.
- (3) Attachment 3 - Click or tap here to enter text.



CITY COUNCIL AGENDA ITEM

- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.



PLANNING COMMISSION

Planning Commission August 2, 2022 / Mayor and City Council Meeting August 22, 2022

GENERAL INFORMATION

Petition Number: RZ-22-005

Applicant: Dorsey, LLC c/o Battle Law P.C.

Owner: Thomas W. Poole, Jr., Chad D. Johnson, Patricia C. Johnson

Project Location: 3266 and 7407 Hayden Quarry Road

Parcels: 16-182-03-001 and 16-182-02-003

District: District 1

Acreage: Tract 1: 20.98 acres and Tract 2: 10.05 acres

Existing Zoning: R-100 (Residential Medium Lot)

Proposed Zoning: MR-1 (Medium Residential Density)

Comprehensive Plan Community Area Designation: UN (Urban Neighborhood)

Proposed Development/Request: Seeking to rezone the subject properties from R-100 (Residential Medium Lot) to MR-1 (Medium Density Residential) to develop 55 single-family attached townhomes to be owned fee simple on +/- 6.9 acres of land being Tax Parcel Nos. 16 182 03 001 and 16 182 02 003 having frontage on 3266 and 7407 Hayden Quarry Road.

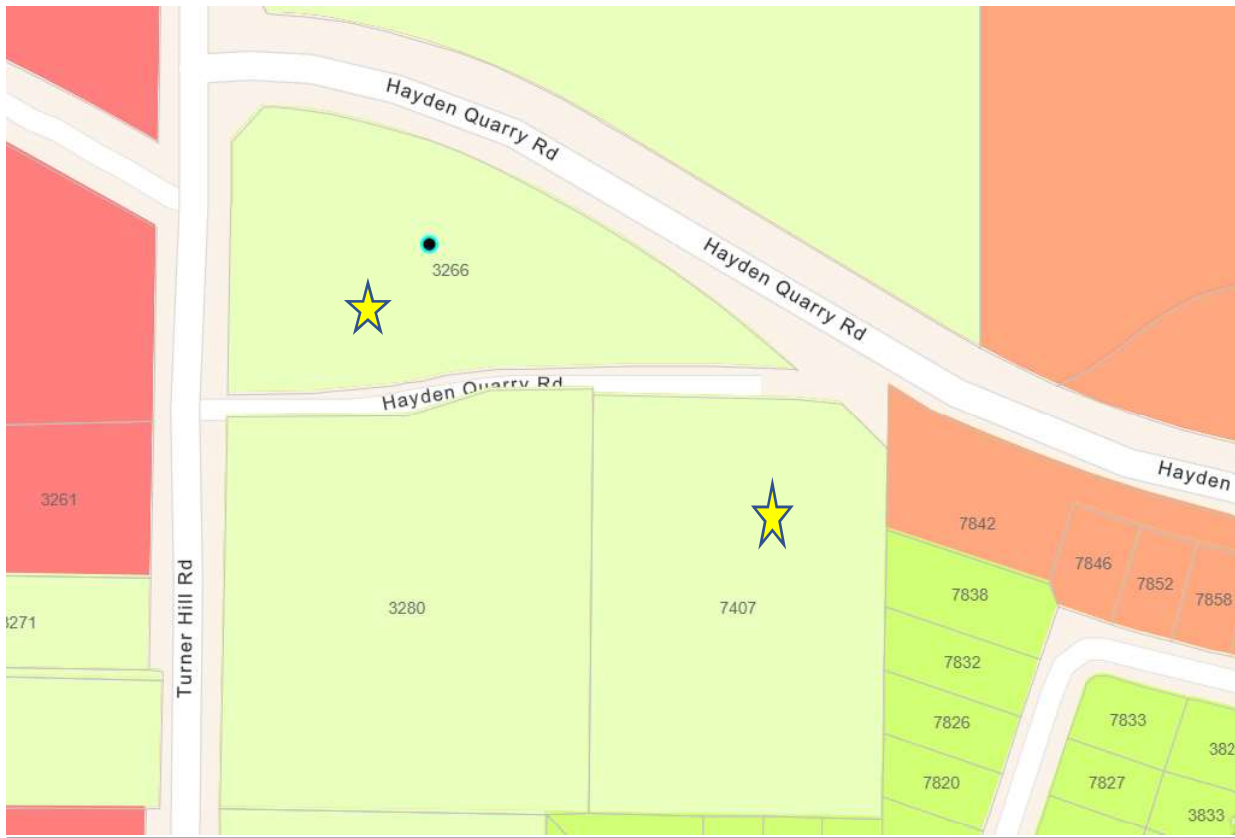
Staff Recommendations: Approval

Planning Commission: To defer to September 6, 2022

City Council: N/A

PLANNING COMMISSION

Zoning Map



 **Subject Property**

PLANNING COMMISSION

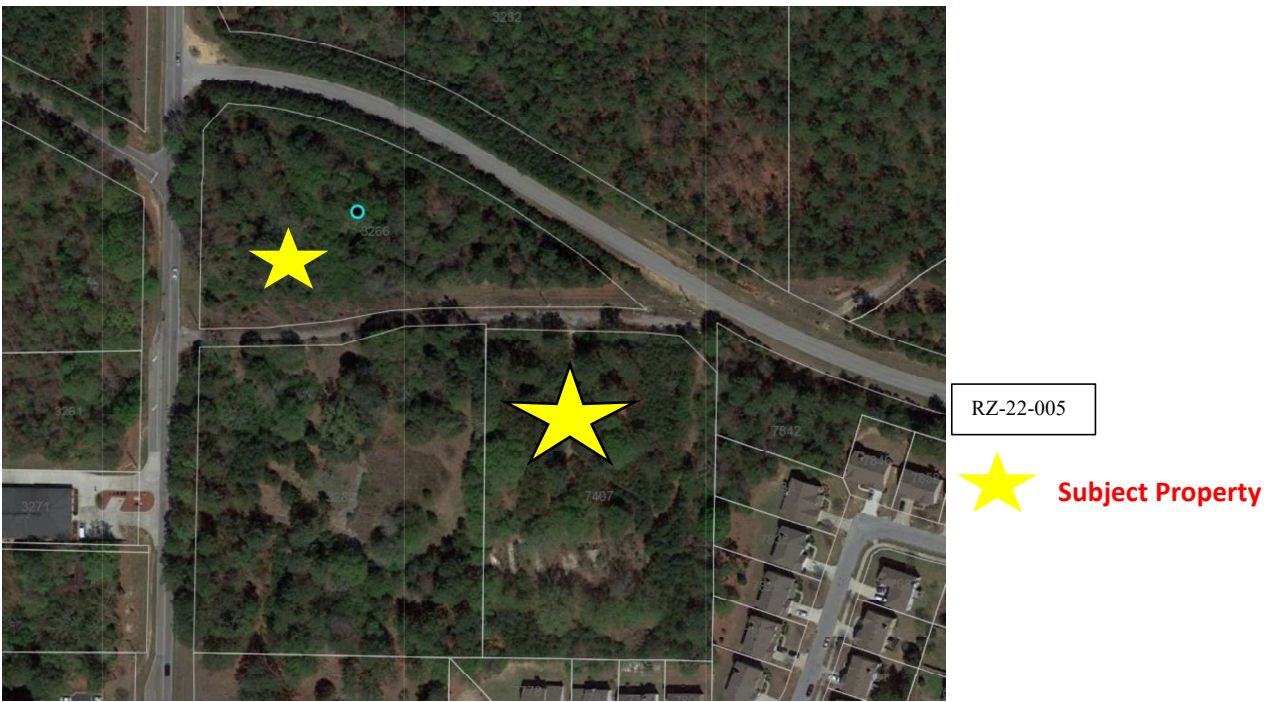
Zoning Case: RZ-22-005

Address: 3266 and 7407 Hayden Quarry Road

Current Zoning: R-100 (Residential Medium Lot)

Proposed Zoning: OD (Office Distribution)

Aerial Map



PLANNING COMMISSION



PROJECT OVERVIEW

The applicant, Dossey, LLC. is seeking to develop on +/- 6.9 acres of land being Tax Parcel Nos. 16 182 03 001 and 16182 02 003 having frontage on 3266 and 7407 Hayden Quarry Road (the “Subject Property”) with fifty-five (55) single-family attached townhomes to be owned fee simple. The Applicant is seeking a rezoning of the Subject Property from R-100 to MR-1.

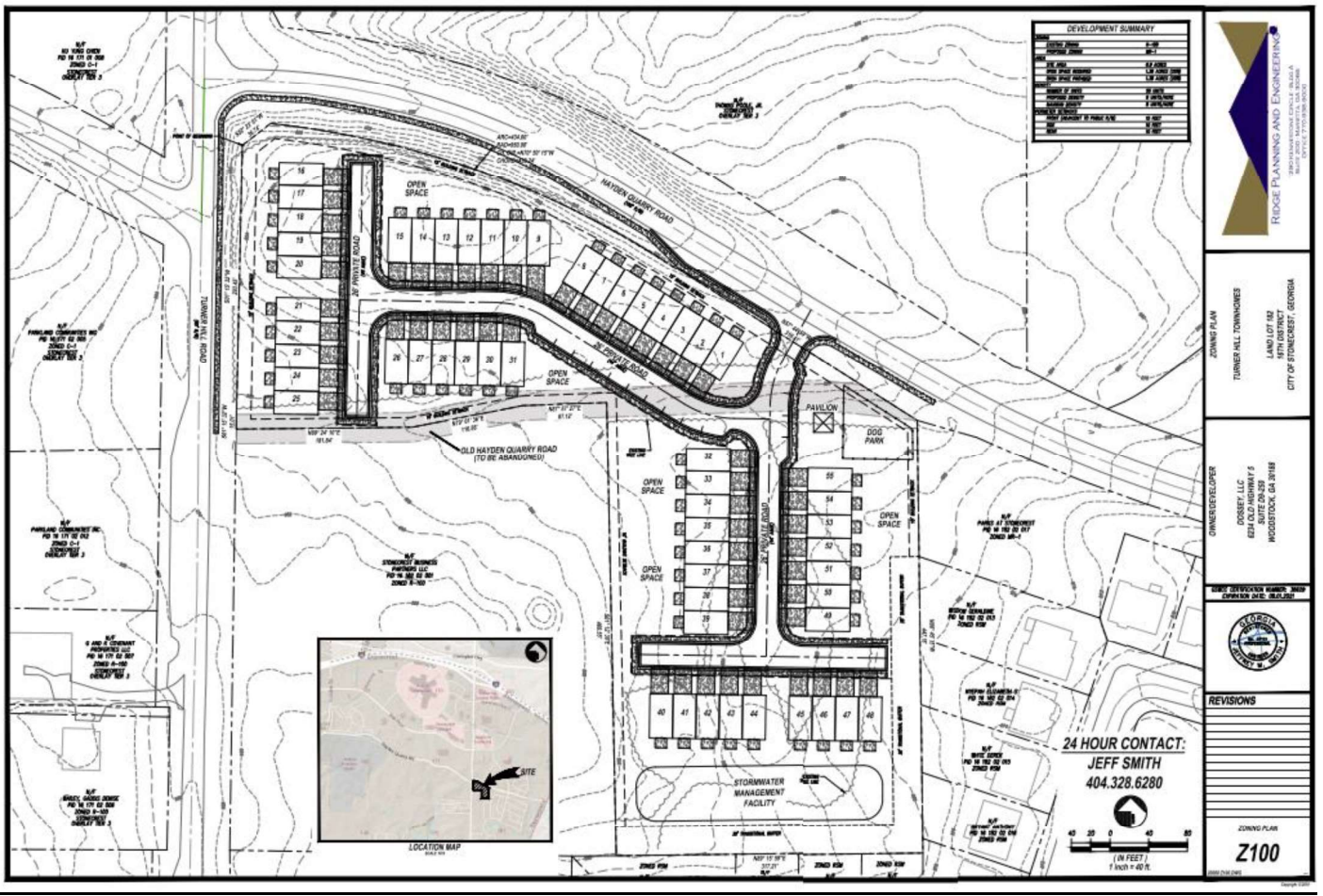
BACKGROUND:

The subject property is a heavily wooded lot and has no past zoning petition attached to the staff.

PLANNING COMMISSION

Public Participation

Community Planning Information Meeting is scheduled on July 26, 2022.





PLANNING COMMISSION

As shown in the table below, the subject property is surrounded by industrial and residential development. *
Please see the map below table

ADJACENT ZONING AND LAND USE		
	Zoning	Zoning Land Use
Adjacent: North	R-100 (Single-Family Medium Density) and C-1 (Local Commercial)	Single-family residential, Chick-fil-A, TGI Fridays and Walmart Supercenter
Adjacent: East	RSM (Residential Small Lot) and MR-1 (Medium Density Residential)	Residential Development
Adjacent: South	R-100 (Residential Medium Lot), C-1 (Local Business) and RSM (Residential Small Lot)	Turner Hill Baptist Church
Adjacent: West	R-100 (Med Residential) District C-1 (Local Commercial) and MR-1 (Medium Density Residential)	Residential and Mall at Stonecrest



PLANNING COMMISSION

Zoning Criteria, Analysis and Comments

STANDARDS OF REZONING REVIEW

Section 7.3.4 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.**

The surrounding properties are developed with apartments, single-family detached homes, and a learning center. Some of the surrounding parcels are vacant.

- **Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The only properties that will be affected are those that once used Old Hayden Quarry Road for access. However, Old Hayden Quarry Road has been blocked off from use and kept in a state of disrepair for quite some time. The application will be submitting a right-of-way abandonment application along with this rezoning application to formally close Old Hayden Quarry Road. That properties that once used it are vacant, so no property owner will be affected by this request. The property abutting the Subject Property to the Southwest will also not be adversely affected by this zoning proposal. A substantial, thirty (30) foot buffer will be maintained at the portions of the Subject Property that abut those properties. This buffer will ensure that the new development will not adversely affect the existing single-family detached homes. Therefore, the zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

- **Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The proposed land use will not cause excessive burdensome to this area. According to the trip generation report prepared for this zoning proposal by Ridge Planning and Engineering, the zoning proposal will add a total of 318 total trips over a twenty-four (24) hour period with twenty-five of those trips taking place during the morning peak travel time and twenty-nine (29) taking place during the evening peak travel time. The rest will take place



PLANNING COMMISSION

outside of the peak travel hours. Therefore, the zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- **Whether the amendment is consistent with the written policies in the comprehensive plan text and any applicable small areas studies.**

The Subject Property has a future land use designation of Urban Neighborhood and is currently zoned R-100. Thus, the current zoning designation does not conform to the future land use. The zoning proposal requests MR-1, which is in line with the future land use designation. Additionally, according to the Comprehensive Land Use Plan, “townhomes” are a specifically permitted use in the Urban Neighborhood land use designation. Thus, the zoning proposal conforms to the Comprehensive Land Use Plan.

- **Whether there are potential impacts on property or properties in an adjoining governmental jurisdiction, in cases of proposed changes near county or municipal boundary lines.**

The subject property is not directly adjacent to an adjoining governmental jurisdiction.

- **Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.**

There are no existing or changing conditions affecting the use and development of the affected land areas.

- **Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed change.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property, therefore there will be no impact on historic buildings.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed petition.



CITY COUNCIL AGENDA ITEM

SUBJECT: RZ-22-006

AGENDA SECTION: *(check all that apply)*

PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: **Rezoning**

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, August 22, 2022

SUBMITTED BY: Keedra T. Jackson, Senior Planner of Planning & Zoning

PRESENTER: Ray White, Director of Planning & Zoning

PURPOSE: To seek a rezoning from R-100 (Residential Medium Lot) Stonecrest Overlay Tier 4 to OD (Office Distribution) and to seek a comprehensive land use change from City Center to Light Industrial for the development of a distribution center.

FACTS: The applicant submitted a letter of withdrawal on July 29th.

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: To withdraw without prejudice

ATTACHMENTS:

- (1) Attachment 1 - Cover Letter
- (2) Attachment 2 - Staff Report
- (3) Attachment 3 - Withdrawal Request
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.



PLANNING COMMISSION

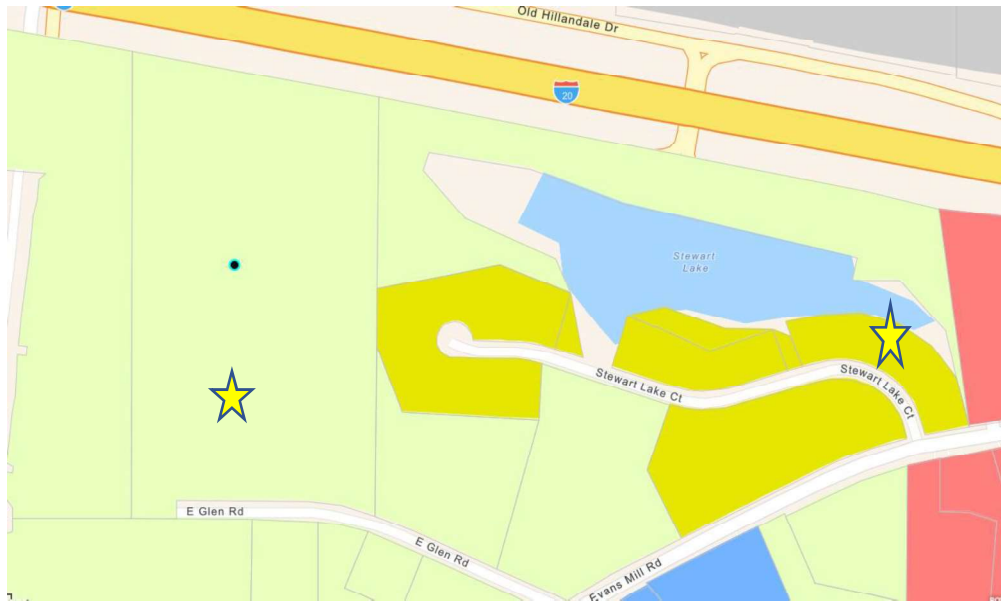
Planning Commission August 2, 2022 / Mayor and City Council Meeting August 22, 2022

GENERAL INFORMATION

Petition Number:	RZ-22-006
Applicant:	Wilson, Brock, Irby, LLC. on behalf of Duke Realty Limited Partnership
Owner:	James W. Kelly, Jr. and Daniel H. Kelly
Project Location:	2975 Evans Mill Road and 6378 East Glen Road
Parcels:	16-106-01-006 and 16-106-01-007
District:	District 5
Acreage:	Tract 1: 20.98 acres and Tract 2: 10.05 acres
Existing Zoning:	R-100 (Residential Medium Lot) and Stonecrest Overlay Tier 4
Proposed Zoning:	OD (Office Distribution)
Comprehensive Plan Community: Area Designation	CC (City Center)
Proposed Development/Request:	To seek a rezoning from R-100 (Residential Medium Lot) Stonecrest Overlay Tier 4 to OD (Office Distribution) and to seek a comprehensive land use change from City Center to Light Industrial for the development of a distribution center.
Staff Recommendations:	<i>Denial</i>
Planning Commission	Approved the request for withdrawal
City Council	N/A

PLANNING COMMISSION

Zoning Map



Subject Property

Zoning Case: RZ-22-006

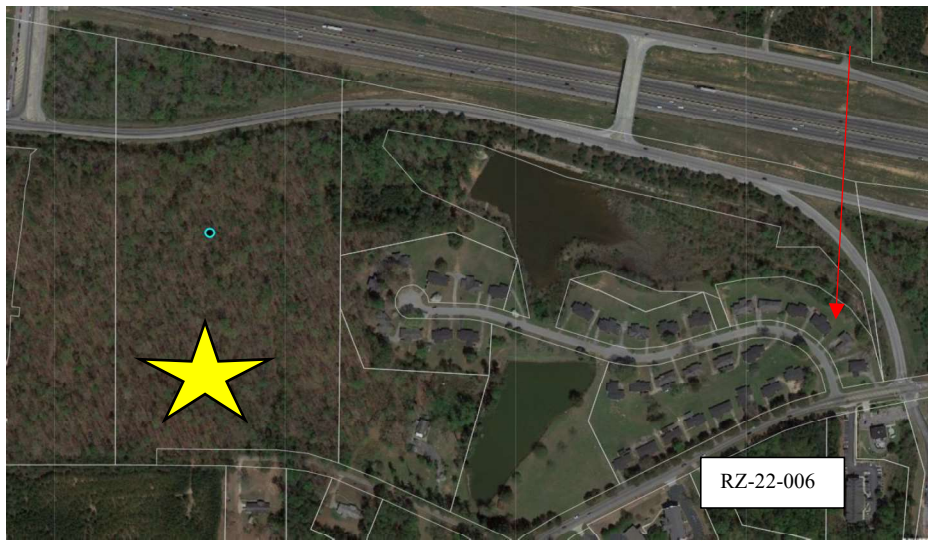
Address: 2975 Evans Mill Road and 6378 East Glen Road

Current Zoning: R-75 and R-100 (Residential Medium Lot)

Proposed Zoning: OD (Office Distribution)

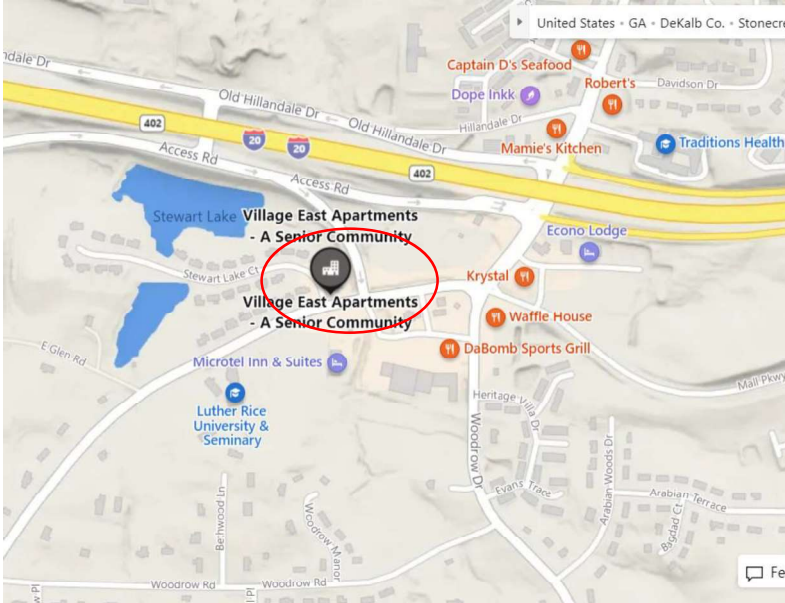
PLANNING COMMISSION

Aerial Map



Subject Property

PLANNING COMMISSION



Location

The subject properties are located at 2975 Evans Mill Road and 6378 East Glen Road (Parcel IDs: 16-106-06-006 (Tract 2) and 16-106-01-007). The Subject Property consists of a ±31.03-acre assemblage of two parcels located in Land Lot 106, 16th District, City of Stonecrest, DeKalb County, Georgia (“Subject Property”).

The subject property abuts Village East Duplex Retirement Community. The surrounding properties are residential dwellings.

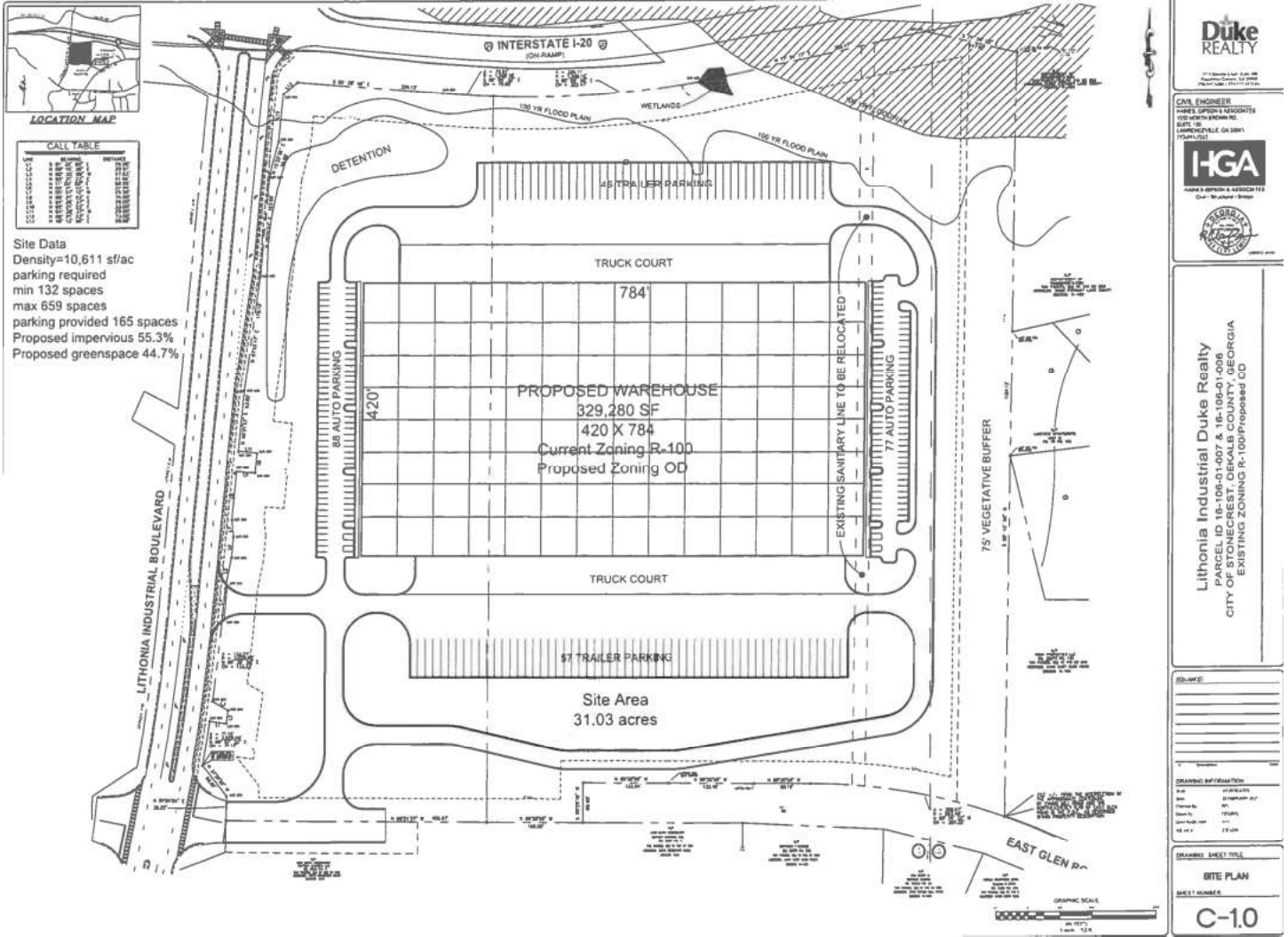
BACKGROUND:

On August 3, 2021, the rezoning and comprehensive plan amendment was deferred by the Planning Commission to allow the applicant more time to meet with the community. On August 18, 2021, the applicant submitted a withdrawal of the petition without prejudice.

The proposed distribution center will consist of an office-distribution building and accessory car and truck parking. Parking is provided in four interconnected parking areas. Truck parking will be provided on the north and south sides of the building, adjacent to the building’s loading areas. The two areas for car parking spaces will be provided at the front and rear of the building. Vehicular access to the Site will be provided exclusively from Lithonia Industrial Boulevard.

The site has a total land area of approximately 30 acres. The Aquatic Report identified approximately 0.030 acres (1,306,80 square feet) of wetland area long the site’s northern boundary, adjacent to the I-20 right-of-way. This small wetland area, which drains into a concrete culvert underneath I-20, is the only environmentally sensitive area on the site.

PLANNING COMMISSION



Public Participation

Community Planning Information Meeting is scheduled on July 26, 2022.



PLANNING COMMISSION

STANDARDS OF REZONING REVIEW

Section 7.3.4 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.**

As shown in the table below, the subject property is surrounded by industrial and residential development. *
Please see the map below table

ADJACENT ZONING AND LAND USE		
	Zoning	Zoning Land Use
Adjacent: North	I-20 Interstate and M (Light Industrial)	Industrial Development, Marbut Elementary and Lithonia High School
Adjacent: East	C-1 (Local Business) and R-75 (Residential Medium Lot)	Krystals, Waffle House, DaBomb Sports and Grill, Village East Duplex Retirement Community
Adjacent: South	R-100 (Residential Medium Lot), C-1 (Local Business) and O-I (Office Institutional)	Microtel Inn Suites & Hotel, Luther Rice University & Seminary,
Adjacent: West	R-100 (Med Residential) District and R-75 (Residential Medium Lot) District	New Birth Missionary Baptist Church



PLANNING COMMISSION

Zoning Criteria, Analysis and Comments

- **Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The intent of the City Center Character Area is to promote the concentration of residential and commercial uses, which serve surrounding communities in order to reduce automobile travel, promote walkability and increase transit usage. The areas should be a focal point for several neighborhoods with a variety of activities such as general retail, commercial, professional office, high-density housing, entertainment and recreational uses and appropriate public open spaces that are easily accessible by pedestrians. This character area is similar to neighborhood center, but at a larger scale. The preferred density for areas of this type is up to 40 dwelling units per acre. The subject property is located within the City Center future land use characteristic area of the Comprehensive Plan. The proposed rezoning and comprehensive land use change would not be compatible with this policy and intent of the Comprehensive Plan.

- **Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The subject properties are zoned R-100 and R-75, which prohibits the development of a warehouse/distribution development. Redesignating the site to light industrial will introduce a land use that is more intensive than the existing land use infrastructure.

- **Whether the amendment is consistent with the written policies in the comprehensive plan text and any applicable small areas studies.**

The proposed use of a warehouse facility is not in accordance with the written policies in the Stonecrest comprehensive plan. The land use designation for the subject properties is City Center. The proposed land use will encroach into an established neighborhood development.

- **Whether there are potential impacts on property or properties in an adjoining governmental jurisdiction, in cases of proposed changes near county or municipal boundary lines.**

There are potential impacts on property or properties in an adjoining governmental jurisdiction. The site is currently entirely wooded. Additional retention of existing trees on the site would be desirable and in keeping with regional goals regarding carbon sequestration and climate change/heat island effect mitigation. The



PLANNING COMMISSION

project can further support the Comprehensive Plan by incorporating other aspects of regional policy, including green infrastructure and/or low-impact design, e.g., pervious pavers, rain gardens, vegetated swales, etc., in parking areas and site driveways, and as part of any improvements to site frontages.

- **Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.**

There are no existing or changing conditions affecting the use and development of the affected land areas.

- **Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed change.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property, therefore there will be no impact on historic buildings.

STANDARDS OF REZONING REVIEW

Section 7.3.5 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.**

The proposed change in zoning would not permit a use that would be suitable in view and development of the nearby properties. The surrounding uses are strictly residential. The Village East Apartments were constructed in 1965 establishing a residential characteristic in this area. The subject properties are not contiguous in which questions the suitability of the proposed development.

- **Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The subject property is located within the Heavy Industrial character area of the Stonecrest Comprehensive Plan. The character area intends to lend to both industrial and single-family dwellings in unincorporated DeKalb County. The proposed zoning change and development of residential development would be in keeping with the policy and intent of the comp plan.

- **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The properties are currently zoned R-100 and R-75 has been zoned residential since the incorporation of the City of Stonecrest, which permits the development of residential development such as single-family residential



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dwelling. The property is also located in residential/commercial area where industrial residential uses are heavily present. The property does have reasonable economic use as currently zoned.

- **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The proposed zoning proposal may have a negative impact on the existing use or usability of adjacent or nearby properties. The proposed development is South of I-20 which primarily consists of residential development. This development is suitable for an industrialized area that is located North of I-20.

- **Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.**

There are existing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal. The current zoning is the different from the proposed zoning classification.

- **Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property.

- **Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The zoning proposed may cause excessive burdensome; however limited existing infrastructure in these areas will constrain the amount of additional growth that is possible. Transportation improvements are needed within these Developing Suburbs, but care should be taken not to spur unwanted growth

- **Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The site has a total land area of approximately 30 acres. The Aquatic Report identified approximately 0.030 acres (1,306,80 square feet) of wetland area long the site’s northern boundary, adjacent to the I-20 right-of-way. This small wetland area, which drains into a concrete culvert underneath I-20, is the only environmentally sensitive area on the site.

STAFF RECOMMENDATION



PLANNING COMMISSION

Staff recommends **DENIAL** of the proposed petition.



CITY COUNCIL AGENDA ITEM

SUBJECT: TMOD-22-001 Definitions and Uses

AGENDA SECTION: *(check all that apply)*

PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): 01/24/22 & 07/25/22

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, August 22, 2022

SUBMITTED BY: Keedra T. Jackson, Senior Planner of Planning & Zoning

PRESENTER: Ray White, Director of Planning & Zoning

PURPOSE: Amendment to Stonecrest Zoning Ordinance, Chapter 27, standardizing land use definitions and terms and to clarify and update the uses allowed in each zoning district.

FACTS: Click or tap here to enter text.

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: Approval

ATTACHMENTS:

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - Chapter 27 Zoning Ordinance
- (3) Attachment 3 - 2022-04-14 Track Changes Summary
- (4) Attachment 4 - 2022-03-02 Chapter 27 Zoning Ordinance Track Changes_Draft
- (5) Attachment 5 - Click or tap here to enter text.



PLANNING & ZONING STAFF REPORT

MEETING DATE: July 25, 2022

GENERAL INFORMATION

- Petition Number:** TMOD 22-001
- Applicant:** Stonecrest Planning and Zoning Department
- Project Location:** City-Wide
- Proposed amendment:** Amendment to Stonecrest Zoning Ordinance, Chapter 27, standardizing land use definitions and terms and to clarify and update the uses allowed in each zoning district.

Facts and Issues:

- So many amendments have been made to the Zoning Ordinance since its original adoption in 2017, that questions often arise as to how the ordinance actually reads, let alone how to interpret it. Even Municode, a service that the city uses to codify the code is not up to date as of the writing of this report. Twelve text amendments alone were adopted in 2021 and none are included on the codified version of the Zoning Ordinance found online.
- To address this problem, staff has prepared two versions of the code in Adobe PDF digital format: (1) A version that includes all known adopted text amendments as of January 24, 2022, and (2) a June 14, 2022 draft version of the Zoning Ordinance that includes this text amendment TMOD-22-001 with all changes denoted by strikethrough and underline.
- For the sake of brevity only the June 14, 2022 version the code is included in the Planning Commission packet. The February 28, 2022 version can be found online on the city website.
- Throughout the adopted zoning ordinance numerous terms are used to describe the same land use, this text modification is an attempt to standardize those terms for the sake of consistency and readability.
- Many terms used in the current Zoning Ordinance are not defined, so additional definitions were added to help with document clarity.



PLANNING & ZONING STAFF REPORT

- In preparing any updated version of the ordinance, several inconsistency and Scribner's errors were discovered which are corrected in this draft text. In short, this text amendment is primarily a much needed housekeeping exercise that should help citizens, developers and city officials all gain a better understanding of what is included in the City's adopted Zoning Ordinance.

Proposal:

- Staff is recommending that TMOD-22-001 be APPROVED as presented in the track changes version of the entire Zoning Ordinance dated June 14, 2022, and as summarized in Attachment 1, TMOD-22-001 Summary of Changes Table
- All of the proposed changes included in TMOD-22-001 are summarized in a 16-page table included in your packet, Attachment 1.
- Note that the table of contents included in PDF of the zoning ordinance is hyperlinked for ease of navigation.

Staff Recommendation: Approval of TMOD-22-001

Planning Commission Recommendation: Planning Commission heard the case on February 1, 2022, and recommends to City Council **a full cycle Deferral** back to the Planning Commission to allow more time to review the proposal.

Recommended approval on June 6, 2022

City Council recommended deferral at the January 24th, June 29th and July 25th regular council meeting

ATTACHMENTS:

1. TMOD-22-001 Summary of Changes
2. June 14, 2022 Draft Zoning Ordinance – with TMOD-22-001 changes shown in strikethrough and underline.

**STATE OF GEROGIA
DEKALB COUNTY
CITY OF STONECREST**

ORDINANCE NO. ____ - _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST, GEORGIA, BY AMENDING THE TABLE OF CONTENTS, ARTICLE 2 (DISTRICT REGULATIONS) IN ITS ENTIRETY, DIVISION 1 (OVERLAY DISTRICTS), DIVISION 4 (ARABIA MOUNTAIN CONSERVATION OVERLAY DISTRICT), DIVISION 5 (STONECREST AREA OVERLAY DISTRICT) AND DIVISION 33 (INTERSTATE 20 CORRIDOR COMPATIBLE USE OVERLAY DISTRICT) OF ARTICLE 3 (OVERLAY DISTRICT REGULATIONS), DIVISION 1 (OVERVIEW OF USE CATEGORIES AND USE TABLE), DIVISION 2 (SUPPLEMENTAL USE REGULATIONS) AND DIVISION 3 (TEMPORARY USE REGULATIONS OF ARTICLE 4 (USE REGULATIONS), ARTICLE 6 (PARKING), DIVISION 3 (ZONING AND COMPREHENSIVE PLAN AMENDMENTS AND PROCEDURES) AND DIVISION 4 (SPECIAL LAND USE PERMITS) OF ARTICLE 7 (ADMINISTRATION) AND ARTICLE 9 (DEFINITIONS) WITHIN CHAPTER 27 (ZONING ORDINANCE); TO STANDARDIZE LAND USE DEFINITIONS AND TERMS; TO CLARIFY AND UPDATE THE USES ALLOWED IN EACH ZONING DISTRICT WITHIN CITY LIMITS; TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PUPOSES.

WHEREAS, the governing body of the City of Stonecrest (“City”) is the Mayor and

City Council thereof; and

WHEREAS, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of Georgia authorizes the City to adopt plans and exercise the power of zoning; and

WHEREAS, the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

WHEREAS, the Mayor and City Council desire to amend Chapter 27 (Zoning Ordinance) in its entirety; and

WHEREAS, the City desires to standardize land use definitions and terms for the sake of consistency, readability and minimization of Scribner's errors; and

WHEREAS, the City desires to clarify and update the uses allowed in each zoning district within City limits to reduce conflict in interpreting definitions and terms; and to remove land uses that does not fit the characterization and the zoning intent of the zoning district.

WHEREAS, from time-to-time amendments may be proposed for public necessity, general welfare, or sound zoning practice that justify such action; and

WHEREAS, the Director of Planning and Planning Commission recommend approval based on the City Staff Report and said report is hereby incorporated by reference herein; and

WHEREAS, a public hearing pursuant to the provisions of the Zoning Procedures Act has been properly held prior to the adoption of this Ordinance; and

WHEREAS, the health, safety, and welfare of the citizens of the City will be positively impacted by the adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA, and by the authority thereof:

Section 1. The Code of Ordinances of the City of Stonecrest, Georgia is hereby amended by amending the Table of Contents, Article 2 (District Regulations) in its entirety, Division 1 (Overlay Districts), Division 4 (Arabia Mountain Conservation Overlay District), Division 5 (Stonecrest Area Overlay District) and Division 33 (Interstate 20 Corridor Compatible Use Overlay District) of Article 3 (Overlay District Regulations), Division 1 (Overview of Use Categories and Use Table), Division 2 (Supplemental Use Regulations) and Division 3 (Temporary Use Regulations of Article 4 (Use Regulations), Article 6 (Parking), Division 3 (Zoning and Comprehensive Plan Amendments and Procedures) and Division 4 (Special Land Use Permits) of Article 7 (Administration) and Article 9 (Definitions) within and adopting the provisions set forth in Exhibit “A” attached hereto and made a part by reference.

Section 2. That text added to current law appears in red. Text removed from current law appears as ~~red and strikethrough~~.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually

dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. The City Clerk, with the concurrence of the City Attorney, is authorized to correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Stonecrest.

Section 8. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Stonecrest, Georgia.

ORDAINED this _____ day of _____, 2022.

[SIGNATURES TO FOLLOW]

CITY OF STONECREST, GEORGIA

George Turner, Mayor Pro Tem

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"
(SEE ATTACHED)

CHAPTER 27: ZONING ORDINANCE

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CHAPTER 27: ZONING ORDINANCE

ARTICLE 2 – DISTRICT REGULATIONS

ARTICLE 2. DISTRICT REGULATIONS**DIVISION 3. RE (RESIDENTIAL ESTATE) DISTRICT****Sec. 2.3.2. Permitted and special land uses.**

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.3.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Dairy; see section 4.2
 - b. Keeping of livestock; see section 4.2
 - c. Keeping of poultry/pigeons; see section 4.2
 - d. Livestock sales pavilion; see section 4.2
 - e. Riding academies or stables; see section 4.2
 - f. Sawmill, temporary or portable; see section 4.2
 - g. Urban Community Garden, up to 5 acres; see section 4.2
2. Residential
 - a. Dwelling, single-family (detached)
3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
4. Commercial
 - a. Kennel, noncommercial
5. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2
6. Wireless Telecommunications
 - a. Carrier on Wheels (declared emergency); see section 4.2

B. Special Administrative Uses

The following uses are permitted only with administrative approval:

1. Agricultural
 - a. Urban, community garden, over 5 acres
2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - b. Party house
3. Commercial
 - a. Farmer's market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales or events, seasonal; see section 4.2
 - d. Temporary produce stand; see section 4.2
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2
4. Wireless Telecommunications
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential)
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

1. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Home occupation, with customer contact; see section 4.2
 - c. Child care home, 5 or less; see section 4.2
 - d. Convents or monasteries; see section 4.2
 - e. Personal care home, 6 or less; see section 4.2
 - f. Senior housing; see section 4.2
 - g. Short-term vacation rental
2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Places of worship; see section 4.2
 - c. Recreation club; see section 4.2

- d. School, private kindergarten, elementary, middle or high schools; see section 4.2
- e. Special events facility
- f. Swimming pools, commercial; see section 4.2
- 3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Animal shelter/rescue center; see section 4.2
 - c. Child day care facility, up to 6; see section 4.2
 - d. Kennel, breeding; see section 4.2
 - e. Kennel, commercial
- 4. Communication – Utility
 - a. Amateur radio service or antenna; see section 4.2
- 5. Wireless Telecommunication
 - a. New support structure from 51 feet to 150 feet; see section 4.2
- D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

 - 1. Residential
 - a. Accessory uses and structures
 - b. Dwelling, single-family , accessory (guesthouse, in-law suite); see section 4.2
 - 2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2
 - 3. Commercial
 - a. Fitness center

DIVISION 4. RLG (RESIDENTIAL LARGE LOT) DISTRICT

Sec. 2.4.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.4.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Keeping of livestock; see section 4.2
 - b. Keeping of poultry/pigeons; see section 4.2
 - c. Riding academies or stables; see section 4.2
 - d. Urban Community Garden, up to 5 acres; see section 4.2
2. Residential
 - a. Dwelling, single-family (detached)
3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
4. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2
5. Wireless Telecommunications
 - a. Carrier on Wheels (declared emergency); see section 4.2

B. Special Administrative Uses

The following uses are permitted only with administrative approval:

1. Agricultural
 - a. Urban, community garden, over 5 acres
2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - b. Party house
3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales or events, seasonal; see section 4.2
 - d. Temporary produce stand; see section 4.2
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2
4. Wireless Telecommunications
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential)
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

1. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Home occupation, with customer contact; see section 4.2
 - c. Child care home, 5 or less; see section 4.2
 - d. Convents or monasteries; see section 4.2
 - e. Personal care home, 6 or less; see section 4.2
 - f. Senior housing; see section 4.2
 - g. Short-term vacation rental
2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Places of worship; see section 4.2
 - c. Recreation club; see section 4.2
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - e. Swimming pools, commercial; see section 4.2
3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Child day care facility, up to 6; see section 4.2
 - c. Kennel, noncommercial
4. Communication – Utility
 - a. Amateur radio service or antenna; see section 4.2
5. Wireless Telecommunication
 - a. New support structure from 51 feet to 150 feet; see section 4.2

D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

1. Residential
 - a. Accessory uses and structures
 - b. Dwelling, single-family , accessory (guesthouse, in-law suite); see section 4.2
2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2
3. Commercial
 - a. Fitness center

DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

Sec. 2.5.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in [Table 4.1](#) below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.5.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Keeping of livestock; see section 4.2
 - b. Keeping of poultry/pigeons; see section 4.2
 - c. Riding academies or stables; see section 4.2
 - d. Urban Community Garden, up to 5 acres; see section 4.2
2. Residential
 - a. Dwelling, single-family (detached)
3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
4. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2
5. Wireless Telecommunications
 - a. Carrier on Wheels (declared emergency); see section 4.2

B. Special Administrative Uses

The following uses are permitted only with administrative approval:

1. Agricultural
 - a. Urban, community garden, over 5 acres
2. Residential
 - a. Home occupation, no customer contact; see section 4.2
3. Commercial
 - a. Farmer's market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales or events, seasonal; see section 4.2
 - d. Temporary produce stand; see section 4.2
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2

4. Wireless Telecommunications
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential)
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2
- C. Special Land Use Permit
- The following uses are permitted only with a special land use permit:
1. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Home occupation, with customer contact; see section 4.2
 - c. Child care home, 5 or less; see section 4.2
 - d. Convents or monasteries; see section 4.2
 - e. Personal care home, 6 or less; see section 4.2
 - f. Senior housing; see section 4.2
 - g. Short-term vacation rental
 2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Places of worship; see section 4.2
 - c. Recreation club; see section 4.2
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - e. Swimming pools, commercial; see section 4.2
 3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Child day care facility, up to 6; see section 4.2
 - c. Kennel, noncommercial
 4. Communication – Utility
 - a. Amateur radio service or antenna; see section 4.2
 5. Wireless Telecommunication
 - a. New support structure from 51 feet to 150 feet; see section 4.2
- D. Permitted Accessory
- The following uses are permitted as accessory only to a principal use:
1. Residential
 - a. Accessory uses or structures
 - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2
 2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

- 3. Commercial
 - a. Fitness center

DIVISION 6. R-85 (RESIDENTIAL MEDIUM LOT-85) DISTRICT

Sec. 2.6.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.6.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Keeping of livestock; see section 4.2
 - b. Keeping of poultry/pigeons; see section 4.2
 - c. Riding academies or stables; see section 4.2
 - d. Urban Community Garden, up to 5 acres; see section 4.2

2. Residential
 - a. Dwelling, single-family (detached)

3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools

4. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2

5. Wireless Telecommunications
 - a. Carrier on Wheels (declared emergency); see section 4.2

B. Special Administrative Uses

The following uses are permitted only with administrative approval:

1. Agricultural
 - a. Urban, community garden, over 5 acres

2. Residential
 - a. Home occupation, no customer contact; see section 4.2

3. Commercial
 - f. Farmer’s market, temporary/seasonal; see section 4.2
 - g. Temporary outdoor retail sales; see section 4.2
 - h. Temporary outdoor sales or events, seasonal; see section 4.2
 - i. Temporary produce stand; see section 4.2

- j. Temporary trailer, as home sales office or construction trailer; see section 4.2
4. Wireless Telecommunications
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential)
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2
- C. Special Land Use Permit
- The following uses are permitted only with a special land use permit:
1. Residential
 - a. Home occupation, with customer contact; see section 4.2
 - b. Child care home, 5 or less; see section 4.2
 - c. Convents or monasteries; see section 4.2
 - d. Personal care home, 6 or less; see section 4.2
 - e. Senior housing; see section 4.2
 2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Places of worship; see section 4.2
 - c. Recreation club; see section 4.2
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - e. Swimming pools, commercial; see section 4.2
 3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Child day care facility, up to 6; see section 4.2
 - c. Kennel, noncommercial
 4. Communication – Utility
 - b. Amateur radio service or antenna; see section 4.2
 5. Wireless Telecommunication
 - a. New support structure from 51 feet to 150 feet; see section 4.2
- D. Permitted Accessory
- The following uses are permitted as accessory only to a principal use:
1. Residential
 - a. Accessory uses or structures
 - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2
 2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

3. Commercial
 - a. Fitness center

DIVISION 7. R-75 (RESIDENTIAL MEDIUM LOT-75) DISTRICT

Sec. 2.7.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.7.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Keeping of livestock; see section 4.2
 - b. Keeping of poultry/pigeons; see section 4.2
 - c. Riding academies or stables; see section 4.2
 - d. Urban Community Garden, up to 5 acres; see section 4.2
2. Residential
 - a. Dwelling, single-family (detached)
3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
4. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2
5. Wireless Telecommunications
 - b. Carrier on Wheels (declared emergency); see section 4.2

B. Special Administrative Uses

The following uses are permitted only with administrative approval:

1. Agricultural
 - a. Urban, community garden, over 5 acres
2. Residential
 - a. Home occupation, no customer contact; see section 4.2

3. Commercial
 - a. Farmer's market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales or events, seasonal; see section 4.2
 - d. Temporary produce stand; see section 4.2
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2
 4. Wireless Telecommunications
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential)
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2
- C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
1. Residential
 - a. Home occupation, with customer contact; see section 4.2
 - b. Child care home, 5 or less; see section 4.2
 - c. Convents or monasteries; see section 4.2
 - d. Personal care home, 6 or less; see section 4.2
 - e. Senior housing; see section 4.2
 2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Places of worship; see section 4.2
 - c. Recreation club; see section 4.2
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - e. Swimming pools, commercial; see section 4.2
 3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Child day care facility, up to 6; see section 4.2
 - c. Kennel, noncommercial
 4. Communication – Utility
 - a. Amateur radio service or antenna; see section 4.2
 5. Wireless Telecommunication
 - a. New support structure from 51 feet to 150 feet; see section 4.2
- D. Permitted Accessory
The following uses are permitted as accessory only to a principal use:
1. Residential
 - a. Accessory uses or structures

- b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2
- 2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2
- 3. Commercial
 - a. Fitness center

DIVISION 8. R-60 (RESIDENTIAL SMALL LOT-60) DISTRICT

Sec. 2.8.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in [Table 4.1](#) below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.8.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Keeping of livestock; see section 4.2
 - b. Keeping of poultry/pigeons; see section 4.2
 - c. Riding academies or stables; see section 4.2
 - d. Urban Community Garden, up to 5 acres; see section 4.2
2. Residential
 - a. Dwelling, cottage home
 - b. Dwelling, single-family (detached)
3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
4. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2
5. Wireless Telecommunications
 - a. Carrier on Wheels (declared emergency); see section 4.2

B. Special Administrative Uses

The following uses are permitted only with administrative approval:

1. Agricultural
 - a. Urban, community garden, over 5 acres
2. Residential
 - a. Home occupation, no customer contact; see section 4.2
3. Commercial
 - a. Farmer's market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales or events, seasonal; see section 4.2
 - d. Temporary produce stand; see section 4.2
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2
4. Wireless Telecommunications
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential)
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

1. Residential
 - a. Home occupation, with customer contact; see section 4.2
 - b. Child care home, 5 or less; see section 4.2
 - c. Convents or monasteries; see section 4.2
 - d. Personal care home, 6 or less; see section 4.2
 - e. Senior housing; see section 4.2
2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Places of worship; see section 4.2
 - c. Recreation club; see section 4.2
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - e. Swimming pools, commercial; see section 4.2
3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Child day care facility, up to 6; see section 4.2
4. Communication – Utility
 - a. Amateur radio service or antenna; see section 4.2
5. Wireless Telecommunication
 - a. New support structure from 51 feet to 150 feet; see section 4.2

D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

1. Residential
 - a. Accessory uses or structures
 - b. Dwelling, single-family , accessory (guesthouse, in-law suite); see section 4.2
2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2
3. Commercial
 - a. Fitness center

DIVISION 9. MHP (MOBILE HOME PARK) DISTRICT

Sec. 2.9.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.9.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Keeping of livestock; see section 4.2
 - b. Keeping of poultry/pigeons; see section 4.2
 - c. Riding academies or stables; see section 4.2
 - d. Urban Community Garden, up to 5 acres; see section 4.2
2. Residential
 - a. Dwelling, mobile home; see section 4.2
 - b. Dwelling, single-family (detached)
 - c. Mobile home park
3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
4. Commercial
 - a. Adult daycare center, 7 or more; see section 4.2
 - b. Child day care center (kindergarten), 7 or more
5. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2

-
- 6. Wireless Telecommunications
 - a. Carrier on Wheels (declared emergency); see section 4.2

 - B. Special Administrative Uses
 - The following uses are permitted only with administrative approval:
 - 1. Agricultural
 - a. Urban, community garden, over 5 acres

 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2

 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary produce stand; see section 4.2
 - d. Temporary trailer, as home sales office or construction trailer; see section 4.2

 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

 - C. Special Land Use Permit
 - The following uses are permitted only with a special land use permit:
 - 1. Residential
 - a. Home occupation, with customer contact; see section 4.2
 - b. Senior housing; see section 4.2

 - 2. Institutional/Public
 - a. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - b. Swimming pools, commercial; see section 4.2

 - 3. Communication – Utility
 - b. Amateur radio service or antenna; see section 4.2

 - D. Permitted Accessory
 - The following uses are permitted as accessory only to a principal use:
 - 1. Residential
 - a. Accessory uses or structures

 - 2. Institutional/Public
 - a. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

 - 3. Commercial

- a. Fitness center

DIVISION 10. RNC (RESIDENTIAL NEIGHBORHOOD CONSERVATION) DISTRICT

Sec. 2.10.3. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in Table 4.1 below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.10.3))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Keeping of livestock; see section 4.2
 - b. Keeping of poultry/pigeons; see section 4.2
 - c. Riding academies or stables; see section 4.2
 - d. Urban Community Garden, up to 5 acres; see section 4.2
2. Residential
 - a. Dwelling, cottage home
 - b. Dwelling, single-family (detached)
 - c. Dwelling; three family; see section 4.2
 - d. Dwelling, townhouse; see section 4.2
 - e. Dwelling, two-family; see section 4.2
3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
4. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2
5. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2

B. Special Administrative Uses

The following uses are permitted only with administrative approval:

1. Agricultural
 - a. Urban, community garden, over 5 acres

-
- 2. Residential
 - a. Home occupation, no customer contact; see section 4.2

 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales or events, seasonal; see section 4.2
 - d. Temporary produce stand; see section 4.2
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2

 - 4. Wireless Telecommunications
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential)
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

 - C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

 - 1. Residential
 - a. Home occupation, with customer contact; see section 4.2
 - b. Child care home, 5 or less; see section 4.2
 - c. Convents or monasteries; see section 4.2
 - d. Personal care home, 6 or less; see section 4.2
 - e. Senior housing; see section 4.2

 - 2. Institutional/Public
 - a. Places of worship; see section 4.2
 - b. Recreation club; see section 4.2
 - c. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - d. Swimming pools, commercial; see section 4.2

 - 3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Child day care facility, up to 6; see section 4.2

 - D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

 - 1. Residential
 - a. Accessory uses or structures
 - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2

 - 2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

- 3. Commercial
 - a. Fitness center

Sec. 2.10.7. Minimum lot width; minimum lot size; building setback; street width; and private drive width requirements.

- A. The following standards shall apply to all single-family detached dwellings, other than condominiums and fee simple condominiums, located in RNC (Residential Neighborhood Conservation) District:
 - 1. Maximum density: Eight dwelling units per acre of total land area, excluding undevelopable areas as identified in section 2.10.5.B.
 - 2. Minimum lot width: At least 60 feet as measured at the required front building setback line; except for a lot on a cul-de-sac, which lot shall have a minimum width of 35 feet.
 - 3. Minimum lot area: 6,000 square feet, except that each lot on the periphery of a development within property zoned RNC (Residential Neighborhood Conservation) District that abuts adjacent property zoned and used for single-family residential purposes shall contain a lot area that is at least 80 percent of the minimum lot area required by the adjoining residential zoning.
 - 4. Minimum building setback adjacent to public or private streets:
 - a. From thoroughfares: 30 feet.
 - b. From arterials: 30 feet.
 - c. From collector streets: 30 feet.
 - d. From local streets: 20 feet.
 - 5. Minimum interior lot side building setback: 7½ (7.5) feet.
 - 6. Minimum periphery lot side building setback: Lots on the periphery of any RNC (Residential Neighborhood Conservation) District development shall maintain a minimum 20-foot side yard setback from any adjacent parcel located outside of the boundary of such development.
 - 7. Minimum rear building setback: 20 feet.
- B. The following standards shall apply to single-family detached condominiums and fee simple condominiums located in RNC (Residential Neighborhood Conservation) District:
 - 1. Maximum density: Eight dwelling units per acre on total land area, excluding undevelopable areas as identified in section 2.10.5.B.
 - 2. Minimum building setback from all peripheral property lines: 20 feet, except that when a peripheral property line adjoins a public or private street, the building setback shall be as required in section 2.10.7.A.4.
 - 3. Minimum distance between building structures: 15 feet.
 - 4. Minimum building setback from a private drive or private street: Ten feet, except that where a garage door or carport entrance faces the street, in which case the minimum setback shall be 20 feet. The building setback shall be measured from back of curb, or, where a sidewalk is provided, from back of sidewalk.

5. Minimum travel lane width, private drive or private streets internal to the development: 24 feet. Where on-street parking is provided, it shall be provided in the form of a parking lane located between the travel lane and the curb, which lane shall be no less than ten feet wide, measured from the edge of the travel lane to front of curb.
 6. Sidewalks shall be provided on both sides of private drives or private streets that are internal to the development, as provided for in chapter 14 of this Code.
 7. Street tree species shall cause minimal interference with underground utilities, subject to approval by the city arborist.
 8. Driveways shall be a minimum of 20 feet long, measured from back of curb or, where sidewalks are provided, from the back of sidewalk, in order to prevent vehicular encroachment on areas intended for vehicular or pedestrian circulation.
 9. A public access and utility easement for electric, gas, telephone, and cable television utilities, in the form of a joint utility trench, shall be located on each side of the internal private streets or internal private drives, and shall be a minimum width of six feet, five inches.
- C. ~~The following standards shall apply to all single-family detached dwellings, other than condominiums and fee simple condominiums, located in RNC (Residential Neighborhood Conservation) District:~~
- ~~1. Maximum density: Four dwelling units per acre on total land area excluding undevelopable areas as identified in section 2.10.5.B.~~
 - ~~2. Minimum lot width: At least 60 feet as measured at the required front building setback line, except for a lot on a cul-de-sac, which lot shall have a minimum width of 35 feet.~~
 - ~~3. Minimum lot area: 8,000 square feet, except that each lot on the periphery of a development within property zoned RNC (Residential Neighborhood Conservation) District that abuts adjacent property zoned and used for single-family residential purposes shall contain a lot area that is at least 80 percent of the minimum lot area required by the adjoining residential zoning.~~
 - ~~4. Minimum building setback adjacent to public or private streets:~~
 - ~~a. From thoroughfares: 30 feet.~~
 - ~~b. From arterials: 30 feet.~~
 - ~~c. From collector streets: 30 feet.~~
 - ~~d. From local streets: 20 feet.~~
 - ~~5. Minimum interior lot side building setback: 7½ (7.5) feet.~~
 - ~~6. Minimum periphery lot side building setback: Lots on the periphery of any RNC (Residential Neighborhood Conservation) District development shall maintain a minimum 20-foot side yard setback from any adjacent parcel located outside of the boundary of such development.~~
 - ~~7. Minimum rear building setback: 40 feet.~~
- D. ~~The following standards shall apply to single-family detached condominiums and fee simple condominiums located in RNC (Residential Neighborhood Conservation) District:~~
- ~~1. Maximum density: Four dwelling units per acre on total land area excluding undevelopable areas as identified in section 2.10.5.B.~~
 - ~~2. Minimum building setback from all peripheral property lines: 20 feet, except that when a peripheral property line adjoins a public or private street, the building setback shall be as required in section 2.10.7.A.4.~~
 - ~~3. Minimum distance between building structures: 15 feet.~~

- ~~4. Minimum building setback from a private drive or private street: Ten feet, except that where a garage door or carport entrance faces the street, in which case the minimum setback shall be 20 feet. The building setback shall be measured from back of curb, or, where a sidewalk is provided, from back of sidewalk.~~
- ~~5. Minimum travel lane width, private drive or private streets internal to the development: 24 feet. Where on-street parking is provided, it shall be provided in the form of a parking lane located between the travel lane and the curb, which lane shall be no less than ten feet wide, measured from the edge of the travel lane to front of curb.~~
- ~~6. Sidewalks shall be provided on both sides of private drives or private streets that are internal to the development, as provided for in chapter 14 of this Code.~~
- ~~7. Street tree species shall cause minimal interference with underground utilities, subject to approval by the city arborist.~~
- ~~8. Driveways shall be a minimum of 20 feet long, measured from back of curb or, where sidewalks are provided, from the back of sidewalk, in order to prevent vehicular encroachment on areas intended for vehicular or pedestrian circulation.~~
- ~~9. A public access and utility easement for electric, gas, telephone, and cable television utilities, in the form of a joint utility trench, shall be located on each side of the internal private streets or internal private drives, and shall be a minimum width of six feet, five inches.~~

~~(Ord. of 8-2-2017, § 1(2.10.7)) [TMOD-22-001]~~

Sec. 2.10.11. Off-street parking requirements.

Minimum off-street parking requirements for uses and structures authorized and permitted in the RNC (Residential Neighborhood Conservation) District are as follows:

- A. Detached single-family dwelling: Three spaces.
- B. Reserved.
- C. Personal care home, group: Four spaces.
- D. Child **aring** care institution, group: Four spaces.
- E. Reserved.
- F. Child daycare facility: Three spaces.
- G. Convent or monastery: One space for each 200 square feet of floor area within the principal structure.
- H. Neighborhood recreation club: One space for each five club members but in no case less than ten spaces.
- I. Place of worship: Where fixed seats are used, one space for each three seats in the largest assembly room used for public worship, or, where fixed seats are not utilized, one space for each 25 square feet of floor space in the largest assembly room used for public worship.
- J. Private elementary, middle and high school:
 - 1. Elementary and middle school: Two spaces for each classroom.
 - 2. High school: Five spaces for each classroom.
- K. Other uses: One space for each 200 square feet of floor area within the principal structure.

(Ord. of 8-2-2017, § 1(2.10.11))

DIVISION 12. RSM (SMALL LOT RESIDENTIAL MIX) DISTRICT

Sec. 2.12.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.12.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

2. Residential
 - a. Dwelling, cottage home; see section 4.2
 - b. Dwelling, single-family (attached)
 - c. Dwelling, single-family (detached)
 - d. Dwelling, three-family
 - e. Dwelling, townhouse; see section 4.2
 - f. Dwelling, two family
 - g. Dwelling, urban single-family; see section 4.2

3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools

4. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2

5. Wireless Telecommunications
 - a. Carrier on Wheels (declared emergency); see section 4.2

B. Special Administrative Uses

The following uses are permitted only with administrative approval:

1. Agricultural
 - a. Urban, community garden, over 5 acres

2. Residential
 - a. Home occupation, no customer contact; see section 4.2

-
- 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales or events, seasonal; see section 4.2
 - d. Temporary produce stand; see section 4.2
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2
 - 4. Wireless Telecommunications
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential)
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2
- C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
- 1. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Home occupation, with customer contact; see section 4.2
 - c. Child care home, 5 or less; see section 4.2
 - d. Convents or monasteries; see section 4.2
 - e. Personal care home, 6 or less; see section 4.2
 - f. Personal care home, 7 or more; see section 4.2
 - g. Senior housing; see section 4.2
 - 2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Places of worship; see section 4.2
 - c. Recreation club; see section 4.2
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - e. Swimming pools, commercial; see section 4.2
 - 3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Child day care facility, up to 6; see section 4.2
 - 4. Communication – Utility
 - a. Amateur radio service or antenna; see section 4.2
 - 5. Wireless Telecommunication
 - a. New support structure from 51 feet to 150 feet; see section 4.2
- D. Permitted Accessory
The following uses are permitted as accessory only to a principal use:
- 1. Residential
 - a. Accessory uses or structures

- b. Dwelling, single-family , accessory (guesthouse, in-law suite); see section 4.2
- 2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2
- 3. Commercial
 - a. Fitness center

Sec. 2.12.5. Density and location criteria.

- A. The maximum allowed dwelling unit density in the RSM District before application of any bonus is 4 dwelling units per acre, and after application of any bonuses is 8 dwelling units per acre. B. Density determination of each RSM (Small Lot Residential Mix) property:
 - 1. Existing RSM properties: For existing properties converted to RSM (Small Lot Residential Mix) District classification at the effective date of the ordinance from which this chapter is derived:
 - a. Where conditions of zoning regulating density have been attached to the property, maximum density shall remain as established in such conditions.
 - b. Where no conditions of zoning regulating density have been attached to the property, maximum density shall be the Base Max described in Table 2.5 unless administratively reviewed and approved for bonus increases, according to the criteria set forth in subsection C. of this section.
 - 2. New RSM properties: For property rezoned to the RSM (Small Lot Residential Mix) District classification after the effective date of the ordinance from which this chapter is derived, density shall be established by the City Council at the time of approval, based upon the criteria set forth in subsection C. of this section.
- C. Density bonus eligibility and calculations. Density bonuses are allowed only for subdivisions, as defined in this chapter, and are expressly not allowed for individual infill lots. The maximum allowed density on RSM (Small Lot Residential Mix) District zoned property may be increased above the Base Max by application of density bonuses as indicated by Table 2.6, and may be accumulated if eligible. An example of how allowable density bonuses are calculated is shown in the example at the end of Table 2.6. In no case shall density exceed the bonus maximum established by Table 2.5.

Table 2.6. Residential Density Bonus Eligibility and Percent, with Example Calculation

Example Density Bonus: (Dwelling Units per Acre (du/acre))

Example Density Bonus: (Dwelling Units per Acre (du/acre))	
Character Area (example):	<i>Neighborhood Center Character Area</i>
Bonus types in example project:	<i>Sustainability Elements and Amenity Proximity</i>
Method:	<i>Multiply the Base x % = additional units eligible</i>
Step 1: Calculate density gained by bonus type:	
<i>Sustainability Element Bonus:</i>	<i>Amenity Proximity Bonus:</i>
Base density: 4	Base density: 4
% Bonus = 50%	% Bonus = 20%
Base x 50% = 4 x 50% = 2 + 2 bonus du/acre	Base x 20% = 4 x 20% + .8 bonus du/acre
Step 2: Add bonus density to Base density	
4 Base	+ (2 + .8) Cumulative Bonus
= 6.8 du/acre max density Total project density allowed	

(Ord. of 8-2-2017, § 1(2.12.5))

DIVISION 13. MR-1 (MEDIUM DENSITY RESIDENTIAL-1) DISTRICT

Sec. 2.13.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.13.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

2. Residential
 - a. Dwelling, cottage home; see section 4.2
 - b. Dwelling, multifamily
 - c. Dwelling, single-family (attached)
 - d. Dwelling, single-family (detached)
 - e. Dwelling, three-family
 - f. Dwelling, townhouse; see section 4.2
 - g. Dwelling, two family
 - h. Dwelling, urban single-family; see section 4.2
 - i. Live/work unit; see section 4.2
 - j. Nursing care facility or hospice

-
- 3. Institutional/Public
 - a. Government facilities
 - b. Library or museum
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools

 - 4. Commercial
 - a. Adult daycare center, 7 or more; see section 4.2
 - b. Child day care center, up to 6; see section 4.2
 - c. Child day care facility, 7 or more; see section 4.2

 - 5. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2

 - 6. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2

 - B. Special Administrative Uses
The following uses are permitted only with administrative approval:
 - 1. Agricultural
 - a. Urban, community garden, over 5 acres

 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2

 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary produce stand; see section 4.2
 - d. Temporary trailer, as home sales office or construction trailer; see section 4.2

 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

 - C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
 - 1. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Boarding/rooming house
 - c. Fraternity house or sorority house

- d. Home occupation, with customer contact; see section 4.2
 - e. Convents or monasteries; see section 4.2
 - f. Personal care home, 6 or less; see section 4.2
 - g. Personal care home, 7 or more; see section 4.2
 - h. Senior housing; see section 4.2
 - i. Shelter for homeless persons for no more than 6 persons; see section 4.2
 - j. Short term vacation rental
 - k. Traditional housing facilities, 7-20; see section 4.2
2. Institutional/Public
- a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Cultural facilities
 - c. Places of worship; see section 4.2
 - d. Recreation club; see section 4.2
 - e. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - f. School, vocational; see section 4.2
 - g. Swimming pools, commercial; see section 4.2
3. Commercial
- a. Adult daycare facility, up to 6; see section 4.2
 - b. Dog day care; see section 4.2
- D. Permitted Accessory
- The following uses are permitted as accessory only to a principal use:
1. Residential
- a. Accessory uses or structures
 - b. Dwelling, single-family , accessory (guesthouse, in-law suite); see section 4.2
2. Institutional/Public
- a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2
3. Commercial
- a. Art gallery
 - b. Banks, credit unions or other similar financial institutions
 - c. Barber shop/beauty salon or similar establishments
 - d. Building or construction office
 - e. Coin laundry
 - f. Dog grooming; see section 4.2
 - g. Dry cleaning agencies, pressing establishments, or laundry pick-up stations
 - h. Fitness center
 - i. Office, medical
 - j. Office, professional
 - k. Personal services establishment
 - l. Restaurants (non drive-thru)
 - m. Retail, 5,000 sf or less (with the exception of small box discount stores)

DIVISION 14. MR-2 (MEDIUM DENSITY RESIDENTIAL-2) DISTRICT

Sec. 2.14.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there exist supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.14.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

2. Residential
 - a. Boarding/rooming house
 - b. Dwelling, cottage home; see section 4.2
 - c. Dwelling, multifamily
 - d. Dwelling, single-family (attached)
 - e. Dwelling, single-family (detached)
 - f. Dwelling, three-family
 - g. Dwelling, townhouse; see section 4.2
 - h. Dwelling, two family
 - i. Dwelling, urban single-family; see section 4.2
 - j. Fraternity house or sorority house
 - k. Live/work unit; see section 4.2
 - l. Nursing care facility or hospice

3. Institutional/Public
 - a. Government facilities
 - b. Library or museum
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools

4. Commercial
 - a. Adult daycare center, 7 or more; see section 4.2
 - b. Child day care center, up to 6; see section 4.2
 - c. Child day care facility, 7 or more; see section 4.2

5. Communications – Utility
 - a. Essential services

- b. Satellite television antenna; see section 4.2

- 6. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2

- B. Special Administrative Uses
The following uses are permitted only with administrative approval:
 - 1. Agricultural
 - a. Urban, community garden, over 5 acres

 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2

 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary produce stand; see section 4.2
 - d. Temporary trailer, as home sales office or construction trailer; see section 4.2

 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

- C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
 - 1. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Home occupation, with customer contact; see section 4.2
 - c. Convents or monasteries; see section 4.2
 - d. Personal care home, 6 or less; see section 4.2
 - e. Personal care home, 7 or more; see section 4.2
 - f. Senior housing; see section 4.2
 - g. Shelter for homeless persons for no more than 6 persons; see section 4.2
 - h. Shelter for homeless persons 7-20; see section 4.2
 - i. Traditional housing facilities, 7-20; see section 4.2

 - 2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Cultural facilities
 - c. Places of worship; see section 4.2
 - d. Recreation club; see section 4.2
 - e. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - f. School, vocational; see section 4.2
 - g. Swimming pools, commercial; see section 4.2

- 3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Dog day care; see section 4.2

- D. Permitted Accessory
The following uses are permitted as accessory only to a principal use:
 - 1. Residential
 - a. Accessory uses or structures
 - b. Dwelling, single-family , accessory (guesthouse, in-law suite); see section 4.2

 - 2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

 - 3. Commercial
 - a. Art gallery
 - b. Banks, credit unions or other similar financial institutions
 - c. Barber shop/beauty salon or similar establishments
 - d. Building or construction office
 - e. Coin laundry
 - f. Dog grooming; see section 4.2
 - g. Dry cleaning agencies, pressing establishments, or laundry pick-up stations
 - h. Fitness center
 - i. Office, medical
 - j. Office, professional
 - k. Personal services establishment
 - l. Restaurants (non drive-thru)
 - m. Retail, 5,000 sf or less (with the exception of small box discount stores)

DIVISION 15. HR-1 (HIGH DENSITY RESIDENTIAL-1) DISTRICT

Sec. 2.15.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.15.2))

- A. Permitted Uses
The following uses are permitted as of right under this code:
 - 1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

 - 2. Residential

-
- a. Boarding/rooming house
 - b. Dwelling, apartment
 - c. Dwelling, cottage home; see section 4.2
 - d. Dwelling, multifamily
 - e. Dwelling, single-family (attached)
 - f. Dwelling, single-family (detached)
 - g. Dwelling, three-family
 - h. Dwelling, townhouse; see section 4.2
 - i. Dwelling, two family
 - j. Dwelling, urban single-family; see section 4.2
 - k. Fraternity house or sorority house
 - l. Live/work unit; see section 4.2
3. Institutional/Public
- a. Government facilities
 - b. Library or museum
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
4. Commercial
- a. Adult daycare center, 7 or more; see section 4.2
 - b. Child day care center, up to 6; see section 4.2
 - c. Child day care facility, 7 or more; see section 4.2
 - d. Personal services establishment
5. Communications – Utility
- a. Essential services
 - b. Satellite television antenna; see section 4.2
6. Wireless Telecommunications
- a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
- 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary produce stand; see section 4.2
 - d. Temporary trailer, as home sales office or construction trailer; see section 4.2

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- 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

 - C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
 - 1. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Home occupation, with customer contact; see section 4.2
 - c. Personal care home, 6 or less; see section 4.2
 - d. Personal care home, 7 or more; see section 4.2
 - e. Senior housing; see section 4.2
 - f. Shelter for homeless persons for no more than 6 persons; see section 4.2
 - g. Shelter for homeless persons 7-20; see section 4.2
 - h. Traditional housing facilities, 7-20; see section 4.2

 - 2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Cultural facilities
 - c. Places of worship; see section 4.2
 - d. Recreation club; see section 4.2
 - e. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - f. School, vocational; see section 4.2
 - g. Swimming pools, commercial; see section 4.2

 - 3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Dog day care; see section 4.2

 - D. Permitted Accessory
The following uses are permitted as accessory only to a principal use:
 - 1. Residential
 - a. Accessory uses or structures

 - 2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

 - 3. Commercial
 - a. Art gallery
 - b. Banks, credit unions or other similar financial institutions
 - c. Barber shop/beauty salon or similar establishments
 - d. Building or construction office
 - e. Coin laundry

- f. Dog grooming; see section 4.2
- g. Dry cleaning agencies, pressing establishments, or laundry pick-up stations
- h. Fitness center
- i. Office, medical
- j. Office, professional
- k. Restaurants (non drive-thru)
- l. Retail, 5,000 sf or less (with the exception of small box discount stores)

DIVISION 16. HR-2 (HIGH DENSITY RESIDENTIAL-2) DISTRICT

Sec. 2.16.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in Table 4.1 below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.16.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

2. Residential
 - a. Boarding/rooming house
 - b. Dwelling, apartment
 - c. Dwelling, cottage home; see section 4.2
 - d. Dwelling, multifamily
 - e. Dwelling, single-family (attached)
 - f. Dwelling, single-family (detached)
 - g. Dwelling, three-family
 - h. Dwelling, townhouse; see section 4.2
 - i. Dwelling, two family
 - j. Dwelling, urban single-family; see section 4.2
 - k. Fraternity house or sorority house
 - l. Live/work unit; see section 4.2

3. Institutional/Public
 - a. Government facilities
 - b. Library or museum
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools

4. Commercial
 - a. Adult daycare center, 7 or more; see section 4.2
 - b. Child day care center, up to 6; see section 4.2
 - c. Child day care facility, 7 or more; see section 4.2

- d. Personal services establishment
- 5. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2
- 6. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
The following uses are permitted only with administrative approval:
 - 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary produce stand; see section 4.2
 - d. Temporary trailer, as home sales office or construction trailer; see section 4.2
 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2
- C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
 - 1. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Home occupation, with customer contact; see section 4.2
 - c. Personal care home, 6 or less; see section 4.2
 - d. Personal care home, 7 or more; see section 4.2
 - e. Senior housing; see section 4.2
 - f. Shelter for homeless persons for no more than 6 persons; see section 4.2
 - g. Shelter for homeless persons 7-20; see section 4.2
 - h. Traditional housing facilities, 7-20; see section 4.2
 - 2. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Cultural facilities
 - c. Places of worship; see section 4.2
 - d. Recreation club; see section 4.2
 - e. School, private kindergarten, elementary, middle or high schools; see section 4.2

- f. School, vocational; see section 4.2
- g. Swimming pools, commercial; see section 4.2

- 3. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Dog day care; see section 4.2

- D. Permitted Accessory
The following uses are permitted as accessory only to a principal use:
 - 1. Residential
 - a. Accessory uses or structures

 - 2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

 - 3. Commercial
 - a. Art gallery
 - b. Banks, credit unions or other similar financial institutions
 - c. Barber shop/beauty salon or similar establishments
 - d. Building or construction office
 - e. Coin laundry
 - f. Dog grooming; see section 4.2
 - g. Dry cleaning agencies, pressing establishments, or laundry pick-up stations
 - h. Fitness center
 - i. Office, medical
 - j. Office, professional
 - k. Restaurants (non drive-thru)
 - l. Retail, 5,000 sf or less (with the exception of small box discount stores)

DIVISION 17. HR-3 (HIGH DENSITY RESIDENTIAL-3) DISTRICT

Sec. 2.17.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there exist supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.17.2))

- A. Permitted Uses
The following uses are permitted as of right under this code:
 - 1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

 - 2. Residential
 - a. Boarding/rooming house
 - b. Dwelling, apartment

- c. Dwelling, cottage home; see section 4.2
 - d. Dwelling, multifamily
 - e. Dwelling, single-family (attached)
 - f. Dwelling, single-family (detached)
 - g. Dwelling, three-family
 - h. Dwelling, townhouse; see section 4.2
 - i. Dwelling, two family
 - j. Dwelling, urban single-family; see section 4.2
 - k. Fraternity house or sorority house
 - l. Live/work unit; see section 4.2
3. Institutional/Public
- a. Government facilities
 - b. Library or museum
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
4. Commercial
- a. Adult daycare center, 7 or more; see section 4.2
 - b. Child day care center, up to 6; see section 4.2
 - c. Child day care facility, 7 or more; see section 4.2
 - d. Personal services establishment
5. Communications – Utility
- a. Essential services
 - b. Satellite television antenna; see section 4.2
6. Wireless Telecommunications
- a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
- 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary produce stand; see section 4.2
 - d. Temporary trailer, as home sales office or construction trailer; see section 4.2
 - 4. Wireless Telecommunications

- a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
- b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

1. Residential

- a. Bed and breakfast establishment; see section 4.2
- b. Home occupation, with customer contact; see section 4.2
- c. Personal care home, 6 or less; see section 4.2
- d. Personal care home, 7 or more; see section 4.2
- e. Senior housing; see section 4.2
- f. Shelter for homeless persons for no more than 6 persons; see section 4.2
- g. Shelter for homeless persons 7-20; see section 4.2
- h. Traditional housing facilities, 7-20; see section 4.2

2. Institutional/Public

- a. Cemetery, columbarium, mausoleum; see section 4.2
- b. Cultural facilities
- c. Places of worship; see section 4.2
- d. Recreation club; see section 4.2
- e. School, private kindergarten, elementary, middle or high schools; see section 4.2
- f. School, vocational; see section 4.2
- g. Swimming pools, commercial; see section 4.2

3. Commercial

- a. Adult daycare facility, up to 6; see section 4.2
- b. Dog day care; see section 4.2

D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

1. Residential

- a. Accessory uses or structures

2. Institutional/Public

- a. Educational use, private; see section 4.2
- b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

3. Commercial

- a. Art gallery
- b. Banks, credit unions or other similar financial institutions
- c. Barber shop/beauty salon or similar establishments
- d. Building or construction office
- e. Coin laundry
- f. Dog grooming; see section 4.2
- g. Dry cleaning agencies, pressing establishments, or laundry pick-up stations
- h. Fitness center

- i. Office, medical
- j. Office, professional
- k. Restaurants (non drive-thru)
- l. Retail, 5,000 sf or less (with the exception of small box discount stores)

DIVISION 19. MU-1 (MIXED-USE LOW DENSITY) DISTRICT

Sec. 2.19.3.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there exist supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2
2. Residential
 - a. Child day care center
 - b. Dwelling, multifamily
 - c. Dwelling, single-family (attached)
 - d. Dwelling, single-family (detached)
 - e. Dwelling, three-family
 - f. Dwelling, townhouse; see section 4.2
 - g. Dwelling, two family
 - h. Dwelling, urban single-family; see section 4.2
 - i. Live/work unit; see section 4.2
 - j. Nursing care facility or hospice
3. Institutional/Public
 - a. Club, order or lodge, fraternal, non-commercial
 - b. Colleges, universities, research and training facilities
 - c. Funeral home, mortuary
 - d. Government facilities
 - e. Library or museum
 - f. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - g. Places of worship; see section 4.2
 - h. School, public kindergarten, elementary, middle or high schools
 - i. School, specialty; see section 4.2
 - j. School, vocational; see section 4.2
4. Commercial
 - a. Adult daycare facility, up to 6; see section 4.2
 - b. Animal hospitals, veterinary clinic; see section 4.2
 - c. Art gallery

- d. Banks, credit unions or other similar financial institutions
 - e. Barber shop/beauty salon or similar establishments
 - f. Brewpub/beer growler
 - g. Catering establishment
 - h. Check cashing establishment, accessory; see section 4.2
 - i. Child day care center (kindergarten), 7 or more
 - j. Child day care facility, 7 or more; see section 4.2
 - k. Clinic, health services
 - l. Commercial greenhouse or plant nursery; see section 4.2
 - m. Dog day care
 - n. Dog grooming
 - o. Dry cleaning agencies, pressing establishments or laundry pick-up stations
 - p. Farmer's market, permanent; see section 4.2
 - q. Fitness center
 - r. Kidney dialysis center
 - s. Office, medical
 - t. Office, professional
 - u. Parking, commercial lot; see section 4.2
 - v. Parking, commercial garage
 - w. Personal services establishment
 - x. Recreation, indoor
 - y. Restaurants (non drive-thru)
 - z. Retail, 5,000 sf or less (with the exception of small box discount stores)
 - aa. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center)
 - bb. Retail warehouses/wholesalers providing sales of merchandise with no outdoor storage
 - cc. Shopping center
 - dd. Special events facility
 - ee. Taxi stand
5. Communications – Utility
- a. Essential services
 - b. Radio or television broadcasting studio
 - c. Satellite television antenna; see section 4.2
6. Wireless Telecommunications
- a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
- 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2

- 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2

- 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

- C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
 - 1. Residential
 - a. Child care home, 5 or less; see section 4.2
 - b. Child care facility, 6 or more; see section 4.2
 - c. Home occupation, with customer contact; see section 4.2
 - d. Personal care home, 7 or more; see section 4.2
 - e. Senior housing; see section 4.2
 - f. Short Term vacation rental

 - 2. Institutional/Public
 - a. Cultural facilities

 - 3. Commercial
 - a. Alcohol outlet-package store, primary; see section 4.2
 - b. Alcohol outlet -beer and/or wine store, beer growler, primary; see section 4.2
 - c. Bus or rail stations or terminals for passengers
 - d. Drive-through facilities; see section 4.2
 - e. Nightclub or late-night establishment; see section 4.2

- D. Permitted Accessory
The following uses are permitted as accessory only to a principal use:
 - 1. Residential
 - a. Accessory uses or structures
 - b. Dormitory
 - c. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2

 - 2. Institutional/Public
 - a. Educational use, private; see section 4.2

Sec. 2.19.6. Density and location criteria (MU-1 District)

- A. The maximum allowed dwelling unit density before application of any bonus is 4 dwelling units per acre, and after application of any bonuses is 8 dwelling units per acre.
- B. Density determination of each MU-1 (Mixed-Use Low Density) property:
 - 1. Existing MU-1 properties: For properties converted to the MU-1 (Mixed-Use Low Density) District classification at the effective date of the ordinance from which this chapter is derived:
 - a. Where conditions of zoning regulate density on the property, the maximum density shall remain as established in any conditions of zoning attached to the property.
 - b. Where no conditions of zoning regulating density have been attached to the property, the maximum density shall be the Base Max described in Table 2.18 unless administratively reviewed and approved for bonus increases, according to the criteria set forth in subsection C. of this section.
 - 2. New MU-1 districts: For property rezoned to the MU-1 (Mixed-Use Low Density) District classification after the effective date of the ordinance from which this chapter is derived, density shall be established by the City Council at the time of approval of the MU-1 District, based upon the criteria set forth in subsection C. of this section.
- C. Density bonus eligibility and calculations. Density bonuses are intended for subdivisions, as defined in this chapter, not for individual infill lots. The maximum allowed density on MU-1 (Mixed-Use Low Density) zoned property may be increased above the base max by application of density bonuses as indicated by Table 2.19, and may be accumulated if eligible. An example of how allowable density bonuses are calculated is shown in the example at the end of Table 2.19. In no case shall density exceed the bonus maximum established by Table 2.18.

Table 2.19. Residential Density Bonus Eligibility and Percent, with Example Calculation

Example Density Bonus: (Dwelling Units per Acre (du/acre))		
Character Area (example):	Neighborhood Center Character Area	
Bonus types in example project:	Sustainability Elements and Amenity Proximity	
Method:	Multiply the Base x % = additional units eligible	
Step 1: Calculate density gained by bonus type:		
<u>Sustainability Element Bonus:</u>	<u>Amenity Proximity Bonus:</u>	
Base density: 4	Base density: 4	
% Bonus = 50%	% Bonus = 20%	
Base x 50% = 4 x 50% = 2	Base x 20% = 4 x 20%	
+ 2 bonus du/acre	+ .8 bonus du/acre	
Step 2: Add bonus density to Base density		
4 Base	+ (2 + .8) Cumulative Bonus	= 6.8 du/acre max density Total project density allowed

(Ord. of 8-2-2017, § 1(2.19.6))

DIVISION 20. MU-2 (MIXED-USE LOW-MEDIUM DENSITY) DISTRICT

Sec. 2.20.1. District requirements, standards and criteria.

~~All~~With the exception of the use list below, all provisions found in the MU-1 (Mixed Use Low Density) District shall apply to the MU-2 (Mixed-Use Low-Medium Density) District, except that the maximum allowed dwelling unit density before application of any bonus is 6 dwelling units per acre, and after application of any bonuses is 12 dwelling units per acre.

(Ord. of 8-2-2017, § 1(2.20.1))

Sec. 2.20.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in Table 4.1. In cases where a use is permitted but there exist supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

2. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Child day care center
 - c. Convents or monasteries; see section 4.2
 - d. Dwelling, multifamily
 - e. Dwelling, single-family (attached)
 - f. Dwelling, single-family (detached)
 - g. Dwelling, three-family
 - h. Dwelling, townhouse; see section 4.2
 - i. Dwelling, two family
 - j. Dwelling, urban single-family; see section 4.2
 - k. Fraternity house or sorority house
 - l. Live/work unit; see section 4.2
 - m. Nursing care facility or hospice

3. Institutional/Public
 - a. Club, order or lodge, fraternal, non-commercial
 - b. Colleges, universities, research and training facilities
 - c. Funeral home, mortuary
 - d. Government facilities
 - e. Library or museum
 - f. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - g. Places of worship; see section 4.2
 - h. School, public kindergarten, elementary, middle or high schools
 - i. School, specialty; see section 4.2
 - j. School, vocational; see section 4.2

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- 4. Commercial
 - a. Adult daycare center, 7 or more; see section 4.2
 - b. Adult daycare facility, up to 6; see section 4.2
 - c. Animal hospitals, veterinary clinic; see section 4.2
 - d. Art gallery
 - e. Automobile or truck rental or leasing facilities; see section 4.2
 - f. Banks, credit unions or other similar financial institutions
 - g. Barber shop/beauty salon or similar establishments
 - h. Brewpub/beer growler
 - i. Catering establishment
 - j. Check cashing establishment, accessory; see section 4.2
 - k. Child day care facility, up to 6; see section 4.2
 - l. Child day care center (kindergarten), 7 or more
 - m. Child day care facility, 7 or more; see section 4.2
 - n. Clinic, health services
 - o. Coin laundry
 - p. Dog day care
 - q. Dog grooming
 - r. Dry cleaning agencies, pressing establishments or laundry pick-up stations
 - s. Farmer's market, permanent; see section 4.2
 - t. Fitness center
 - u. Kidney dialysis center
 - v. Office, medical
 - w. Office, professional
 - x. Parking, commercial lot; see section 4.2
 - y. Parking, commercial garage
 - z. Personal services establishment
 - aa. Recreation, indoor
 - bb. Restaurants (accessory to hotel/motel)
 - cc. Restaurants (non drive-thru)
 - dd. Retail, 5,000 sf or less (with the exception of small box discount stores)
 - ee. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center)
 - ff. Retail warehouses/wholesalers providing sales of merchandise with no outdoor storage
 - gg. Shopping center
 - hh. Special events facility
 - ii. Taxi stand
 - 5. Industrial
 - a. Contractor, general (see also building or construction office)
 - 6. Communications – Utility
 - a. Essential services
 - b. Radio or television broadcasting studio
 - c. Satellite television antenna; see section 4.2

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- 7. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2

 - B. Special Administrative Uses

The following uses are permitted only with administrative approval:

 - 1. Agricultural
 - a. Urban, community garden, over 5 acres

 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - b. Hotel/motel

 - 3. Commercial
 - a. Farmer's market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2

 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

 - C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

 - 1. Residential
 - a. Child care home, 5 or less; see section 4.2
 - b. Child care facility, 6 or more; see section 4.2
 - c. Home occupation, with customer contact; see section 4.2
 - d. Personal care home, 7 or more; see section 4.2
 - e. Senior housing; see section 4.2
 - f. Short Term vacation rental

 - 2. Institutional/Public
 - a. Cultural facilities
 - b. School, private kindergarten, elementary, middle or high schools; see section 4.2

 - 3. Commercial
 - a. Alcohol outlet-package store, primary; see section 4.2
 - b. Alcohol outlet -beer and/or wine store, beer growler, primary; see section 4.2
 - c. Bus or rail stations or terminals for passengers
 - d. Drive-through facilities; see section 4.2
 - e. Nightclub or late night establishment; see section 4.2

D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

1. Residential
 - a. Accessory uses or structures
 - b. Dormitory
 - c. Dwelling, single-family, accessory (guesthouse, in-law suite) ; see section 4.2

2. Institutional/Public
 - a. Educational use, private; see section 4.2
 - b. Swimming pools, commercial; see section 4.2
 - c. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

DIVISION 21. MU-3 (MIXED-USE MEDIUM DENSITY) DISTRICT

Sec. 2.21.1. District requirements, standards and criteria.

~~All~~With the exception of the use list below, all provisions found in the MU-2 (Mixed-Use Medium Density) District shall apply to the MU-3 (Mixed-Use Medium Density) District, except that:

- A. The maximum allowed dwelling unit density before application of any bonus is 12 dwelling units per acre, and after application of any bonuses is 24 dwelling units per acre.
- B. Section 2.19.8 regarding retail size restrictions shall not apply.
- C. Height restrictions apply to the MU-3 (Mixed-Use Low-Medium Density) District based on a relationship of density, as achieved through bonuses, in accordance with Table 2.9 or 2.11, as applicable.

(Ord. of 8-2-2017, § 1(2.21.1))

Sec. 2.21.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in Table 4.1. In cases where a use is permitted but there exist supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

2. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Child day care center
 - c. Convents or monasteries; see section 4.2

- d. Dwelling, multifamily
 - e. Dwelling, single-family (attached)
 - f. Dwelling, single-family (detached)
 - g. Dwelling, three-family
 - h. Dwelling, townhouse; see section 4.2
 - i. Dwelling, two family
 - j. Dwelling, urban single-family; see section 4.2
 - k. Fraternity house or sorority house
 - l. Live/work unit; see section 4.2
 - m. Nursing care facility or hospice
3. Institutional/Public
- a. Club, order or lodge, fraternal, non-commercial
 - b. Colleges, universities, research and training facilities
 - c. Funeral home, mortuary
 - d. Government facilities
 - e. Hospital or accessory ambulance service
 - f. Library or museum
 - g. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - h. Places of worship; see section 4.2
 - i. School, public kindergarten, elementary, middle or high schools
 - j. School, specialty; see section 4.2
 - k. School, vocational; see section 4.2
4. Commercial
- a. Adult daycare center, 7 or more; see section 4.2
 - b. Adult daycare facility, up to 6; see section 4.2
 - c. Art gallery
 - d. Automobile or truck rental or leasing facilities; see section 4.2
 - e. Banks, credit unions or other similar financial institutions
 - f. Barber shop/beauty salon or similar establishments
 - g. Brewpub/beer growler
 - h. Catering establishment
 - i. Check cashing establishment, accessory; see section 4.2
 - j. Child day care facility, up to 6; see section 4.2
 - k. Child day care center (kindergarten), 7 or more
 - l. Child day care facility, 7 or more; see section 4.2
 - m. Clinic, health services
 - n. Coin laundry
 - o. Dog day care
 - p. Dog grooming
 - q. Dry cleaning agencies, pressing establishments or laundry pick-up stations
 - r. Farmer's market, permanent; see section 4.2
 - s. Fitness center
 - t. Kidney dialysis center
 - u. Office, medical

- v. Office, professional
 - w. Parking, commercial lot; see section 4.2
 - x. Parking, commercial garage
 - y. Personal services establishment
 - z. Recreation, indoor
 - aa. Restaurants (accessory to hotel/motel)
 - bb. Restaurants (non drive-thru)
 - cc. Retail, 5,000 sf or less (with the exception of small box discount stores)
 - dd. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center)
 - ee. Retail warehouses/wholesalers providing sales of merchandise with no outdoor storage
 - ff. Shopping center
 - gg. Special events facility
 - hh. Taxi stand
 - ii. Theaters with live performance, assembly or concert halls, or similar entertainment within an enclosed building
5. Industrial
- a. Contractor, general (see also building or construction office)
6. Communications – Utility
- a. Essential services
 - b. Radio or television broadcasting studio
 - c. Satellite television antenna; see section 4.2
7. Wireless Telecommunications
- a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
1. Agricultural
 - a. Urban, community garden, over 5 acres
 2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - b. Hotel/motel
 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Medical or dental laboratories
 - c. Temporary outdoor retail sales; see section 4.2
 - d. Temporary outdoor sales; seasonal; see section 4.2
 - e. Temporary outdoor sales or events, seasonal; see section 4.2
 - f. Temporary produce stand; see section 4.2
 - g. Temporary trailer, as home sales office or construction trailer; see section 4.2

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- 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

 - C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
 - 1. Residential
 - a. Child care home, 5 or less; see section 4.2
 - b. Child care facility, 6 or more; see section 4.2
 - c. Home occupation, with customer contact; see section 4.2
 - d. Personal care home, 7 or more; see section 4.2
 - e. Senior housing; see section 4.2

 - 2. Institutional/Public
 - a. Coliseum or stadium, not associated with a church or school; see section 4.2
 - b. Cultural facilities
 - c. School, private kindergarten, elementary, middle or high schools; see section 4.2

 - 3. Commercial
 - a. Alcohol outlet-package store, primary; see section 4.2
 - b. Alcohol outlet -beer and/or wine store, beer growler, primary; see section 4.2
 - c. Bus or rail stations or terminals for passengers
 - d. Drive-through facilities; see section 4.2
 - e. Heliport; see section 4.2
 - f. Nightclub or late night establishment; see section 4.2

 - D. Permitted Accessory
The following uses are permitted as accessory only to a principal use:
 - 1. Residential
 - a. Accessory uses or structures
 - b. Dormitory
 - c. Dwelling, single-family, accessory (guesthouse, in-law suite) ; see section 4.2

 - 2. Institutional/Public
 - a. Swimming pools, commercial; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

DIVISION 22. MU-4 (MIXED-USE HIGH DENSITY) DISTRICT

Sec. 2.22.1. District requirements, standards and criteria.

~~All~~With the exception of the use list below, all provisions found in the MU-3 (Mixed-Use Medium Density) District shall also apply to the MU-4 (Mixed-Use High Density) District, except that:

- A. The maximum allowed dwelling unit density before application of any bonus is 24 dwelling units per acre, and after application of any bonuses is 40 dwelling units per acre.
- B. Height restrictions apply to the MU-4 (Mixed-Use High Density) District in accordance with Table 2.9, 2.11, or 2.13, as applicable.

(Ord. of 8-2-2017, § 1(2.22.1))

Sec. 2.22.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in Table 4.1. In cases where a use is permitted but there exist supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

A. Permitted Uses

The following uses are permitted as of right under this code:

- 1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2
- 2. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Child day care center
 - c. Convents or monasteries; see section 4.2
 - d. Dwelling, multifamily
 - e. Dwelling, single-family (attached)
 - f. Dwelling, three-family
 - g. Dwelling, townhouse; see section 4.2
 - h. Dwelling, two family
 - i. Dwelling, urban single-family; see section 4.2
 - j. Live/work unit; see section 4.2
 - k. Nursing care facility or hospice
- 3. Institutional/Public
 - a. Club, order or lodge, fraternal, non-commercial
 - b. Colleges, universities, research and training facilities
 - c. Coliseum or stadium, not associated with a church or school; see section 4.2
 - d. Funeral home, mortuary
 - e. Government facilities
 - f. Hospital or accessory ambulance service
 - g. Library or museum
 - h. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - i. Places of worship; see section 4.2
 - j. School, public kindergarten, elementary, middle or high schools

- k. School, specialty; see section 4.2
 - l. School, vocational; see section 4.2
4. Commercial
- a. Adult daycare center, 7 or more; see section 4.2
 - b. Adult daycare facility, up to 6; see section 4.2
 - c. Art gallery
 - d. Automobile or truck rental or leasing facilities; see section 4.2
 - e. Banks, credit unions or other similar financial institutions
 - f. Barber shop/beauty salon or similar establishments
 - g. Brewpub/beer growler
 - h. Catering establishment
 - i. Check cashing establishment, accessory; see section 4.2
 - j. Child day care facility, up to 6; see section 4.2
 - k. Child day care center (kindergarten), 7 or more
 - l. Child day care facility, 7 or more; see section 4.2
 - m. Clinic, health services
 - n. Coin laundry
 - o. Dog day care
 - p. Dog grooming
 - q. Dry cleaning agencies, pressing establishments or laundry pick-up stations
 - r. Farmer's market, permanent; see section 4.2
 - s. Fitness center
 - t. Kidney dialysis center
 - u. Office, medical
 - v. Office, professional
 - w. Parking, commercial lot; see section 4.2
 - x. Parking, commercial garage
 - y. Personal services establishment
 - z. Recreation, indoor
 - aa. Restaurants (accessory to hotel/motel)
 - bb. Restaurants (non drive-thru)
 - cc. Retail, 5,000 sf or less (with the exception of small box discount stores)
 - dd. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center)
 - ee. Retail warehouses/wholesalers providing sales of merchandise with no outdoor storage
 - ff. Shopping center
 - gg. Special events facility
 - hh. Taxi stand
 - ii. Theaters with live performance, assembly or concert halls, or similar entertainment within an enclosed building
5. Communications – Utility
- a. Essential services
 - b. Radio or television broadcasting studio
 - c. Satellite television antenna; see section 4.2

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- 6. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2

 - B. Special Administrative Uses
The following uses are permitted only with administrative approval:
 - 1. Agricultural
 - a. Urban, community garden, over 5 acres

 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - b. Hotel/motel

 - 3. Commercial
 - a. Farmer's market, temporary/seasonal; see section 4.2
 - b. Medical or dental laboratories
 - c. Temporary outdoor retail sales; see section 4.2
 - d. Temporary outdoor sales; seasonal; see section 4.2
 - e. Temporary outdoor sales or events, seasonal; see section 4.2
 - f. Temporary produce stand; see section 4.2
 - g. Temporary trailer, as home sales office or construction trailer; see section 4.2

 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

 - C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
 - 1. Residential
 - a. Child care home, 5 or less; see section 4.2
 - b. Child care facility, 6 or more; see section 4.2
 - c. Home occupation, with customer contact; see section 4.2
 - d. Personal care home, 7 or more; see section 4.2
 - e. Senior housing; see section 4.2

 - 2. Institutional/Public
 - a. Cultural facilities
 - b. Recreation club; see section 4.2
 - c. School, private kindergarten, elementary, middle or high schools; see section 4.2

 - 3. Commercial
 - a. Alcohol outlet-package store, primary; see section 4.2
 - b. Alcohol outlet -beer and/or wine store, beer growler, primary; see section 4.2
 - c. Bus or rail stations or terminals for passengers

- d. Drive-through facilities; see section 4.2
 - e. Heliport; see section 4.2
 - f. Nightclub or late night establishment; see section 4.2
- D. Permitted Accessory
- The following uses are permitted as accessory only to a principal use:
- 1. Residential
 - a. Accessory uses or structures
 - b. Dormitory
 - c. Dwelling, single-family, accessory (guesthouse, in-law suite) ; see section 4.2
 - 2. Institutional/Public
 - a. Swimming pools, commercial; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

DIVISION 23. MU-5 (MIXED-USE VERY HIGH DENSITY) DISTRICT

Sec. 2.23.1. District requirements, standards and criteria.

All-With the exceptions of the use list below, all provisions found in the MU-3 (Mixed-Use Medium Density) District shall also apply to the MU-5 (Mixed-Use Very High Density) District, except as identified below:

- A. The maximum allowed dwelling unit density before application of any bonus is 40 dwelling units per acre, and after application of any bonuses is 120 dwelling units per acre.
- B. Height restrictions apply to MU-5 in accordance with Tables 2.13 and 2.15, as applicable.

(Ord. of 8-2-2017, § 1(2.23.1))

Sec. 2.23.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in Table 4.1. In cases where a use is permitted but there exist supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

- A. Permitted Uses
- The following uses are permitted as of right under this code:
- 1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2
 - 2. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Child day care center
 - c. Convents or monasteries; see section 4.2
 - d. Dwelling, multifamily
 - e. Dwelling, single-family (attached)

- f. Dwelling, three-family
 - g. Dwelling, townhouse; see section 4.2
 - h. Dwelling, two family
 - i. Dwelling, urban single-family; see section 4.2
 - j. Live/work unit; see section 4.2
 - k. Nursing care facility or hospice
3. Institutional/Public
- a. Club, order or lodge, fraternal, non-commercial
 - b. Colleges, universities, research and training facilities
 - c. Coliseum or stadium, not associated with a church or school; see section 4.2
 - d. Funeral home, mortuary
 - e. Government facilities
 - f. Hospital or accessory ambulance service
 - g. Library or museum
 - h. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - i. Places of worship; see section 4.2
 - j. School, public kindergarten, elementary, middle or high schools
 - k. School, specialty; see section 4.2
 - l. School, vocational; see section 4.2
4. Commercial
- a. Adult daycare center, 7 or more; see section 4.2
 - b. Adult daycare facility, up to 6; see section 4.2
 - c. Art gallery
 - d. Automobile or truck rental or leasing facilities; see section 4.2
 - e. Banks, credit unions or other similar financial institutions
 - f. Barber shop/beauty salon or similar establishments
 - g. Brewpub/beer growler
 - h. Catering establishment
 - i. Check cashing establishment, accessory; see section 4.2
 - j. Child day care facility, up to 6; see section 4.2
 - k. Child day care center (kindergarten), 7 or more
 - l. Child day care facility, 7 or more; see section 4.2
 - m. Clinic, health services
 - n. Coin laundry
 - o. Dog day care
 - p. Dog grooming
 - q. Dry cleaning agencies, pressing establishments or laundry pick-up stations
 - r. Farmer's market, permanent; see section 4.2
 - s. Fitness center
 - t. Kidney dialysis center
 - u. Office, medical
 - v. Office, professional
 - w. Parking, commercial lot; see section 4.2
 - x. Parking, commercial garage

- y. Personal services establishment
 - z. Recreation, indoor
 - aa. Restaurants (accessory to hotel/motel)
 - bb. Restaurants (non drive-thru)
 - cc. Retail, 5,000 sf or less (with the exception of small box discount stores)
 - dd. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center)
 - ee. Retail warehouses/wholesalers providing sales of merchandise with no outdoor storage
 - ff. Shopping center
 - gg. Special events facility
 - hh. Taxi stand
 - ii. Theaters with live performance, assembly or concert halls, or similar entertainment within an enclosed building
5. Communications – Utility
- a. Essential services
 - b. Radio or television broadcasting studio
 - c. Satellite television antenna; see section 4.2
6. Wireless Telecommunications
- a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
- 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - b. Hotel/motel
 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Medical or dental laboratories
 - c. Temporary outdoor retail sales; see section 4.2
 - d. Temporary outdoor sales; seasonal; see section 4.2
 - e. Temporary outdoor sales or events, seasonal; see section 4.2
 - f. Temporary produce stand; see section 4.2
 - g. Temporary trailer, as home sales office or construction trailer; see section 4.2
 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

1. Residential
 - a. Child care home, 5 or less; see section 4.2
 - b. Child care facility, 6 or more; see section 4.2
 - c. Home occupation, with customer contact; see section 4.2
 - d. Personal care home, 7 or more; see section 4.2
 - e. Senior housing; see section 4.2

2. Institutional/Public
 - a. Cultural facilities
 - b. Recreation club; see section 4.2
 - c. School, private kindergarten, elementary, middle or high schools; see section 4.2

3. Commercial
 - a. Alcohol outlet-package store, primary; see section 4.2
 - b. Alcohol outlet -beer and/or wine store, beer growler, primary; see section 4.2
 - c. Bus or rail stations or terminals for passengers
 - d. Drive-through facilities; see section 4.2
 - e. Heliport; see section 4.2
 - f. Nightclub or late night establishment; see section 4.2

D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

1. Residential
 - a. Accessory uses or structures
 - b. Dormitory
 - c. Dwelling, single-family, accessory (guesthouse, in-law suite) ; see section 4.2

2. Institutional/Public
 - a. Swimming pools, commercial; see section 4.2
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

DIVISION 25. NS (NEIGHBORHOOD SHOPPING) DISTRICT

Sec. 2.25.3. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

(Ord. of 8-2-2017, § 1(2.25.3))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

-
2. Residential
 - a. Child care home, 5 or less; see section 4.2
 - b. Child day care center

 3. Institutional/Public
 - a. Government facilities
 - b. Library or museum
 - c. Places of worship; see section 4.2
 - d. School, vocational; see section 4.2

 4. Commercial
 - a. Adult daycare center, 7 or more; see section 4.2
 - b. Adult daycare facility, up to 6; see section 4.2
 - c. Animal hospital, veterinary clinic; see section 4.2
 - d. Art gallery
 - e. Banks, credit unions or other similar financial institutions
 - f. Barber shop/beauty salon or similar establishments
 - g. Brewpub/beer growler
 - h. Child day care facility, up to 6; see section 4.2
 - i. Child day care center (kindergarten), 7 or more
 - j. Clinic, health services
 - k. Coin laundry
 - l. Commercial greenhouse or plant nursery; see section 4.2
 - m. Drive-through facilities; see section 4.2
 - n. Dry cleaning agencies, pressing establishments or laundry pick-up stations
 - o. Farmer's market, permanent; see section 4.2
 - p. Fitness center
 - q. Office, medical
 - r. Office, professional
 - s. Personal services establishment
 - t. Recreation, indoor
 - u. Restaurants (non drive-thru)
 - v. Retail, 5,000 sf or less (with the exception of small box discount stores)
 - w. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center)
 - x. Shopping center
 - y. Taxi stand

 5. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2

 6. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2

B. Special Administrative Uses

The following uses are permitted only with administrative approval:

1. Agricultural
 - a. Urban, community garden, over 5 acres
2. Institutional/Public
 - a. School, vocational; see section 4.2
3. Commercial
 - a. Farmer's market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2
4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

1. Residential
 - a. Child care facility, 6 or more; see section 4.2
 - b. Personal care home, 6 or less; see section 4.2
 - c. Personal care home, 7 or more; see section 4.2
2. Commercial
 - a. Alcohol outlet -beer and/or wine store, beer growler, primary; see section 4.2
 - b. Alcohol outlet-beer and wine, accessory to retail less than 12,000sf; see section 4.2
 - c. Automobile service stations; see section 4.2
 - d. Fuel pumps; see section 4.2
 - e. Liquor store (see alcohol outlet) ; see section 4.2
 - f. Nightclub or late night establishment; see section 4.2
3. Wireless Telecommunications
 - a. New support structure from 51 feet to 150 feet; see section 4.2

D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

1. Residential
 - a. Accessory uses or structures
2. Commercial

- a. Kennel, breeding
- 3. Industrial
 - a. Recycling collection

DIVISION 26. C-1 (LOCAL COMMERCIAL) DISTRICT

Sec. 2.26.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted, but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

(Ord. of 8-2-2017, § 1(2.26.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

- 1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2
- 2. Residential
 - a. Bed and breakfast establishment; see section 4.2
 - b. Child care facility, 6 or more
 - c. Child care home, 5 or less; see section 4.2
 - d. Child day care center
 - e. Hotel/motel
 - f. Live/work unit; see section 4.2
 - g. Nursing care facility or hospice
 - h. Personal care home, 6 or less; see section 4.2
 - i. Personal care home, 7 or more; see section 4.2
 - j. Shelter for homeless persons, 7-20; see section 4.2
 - k. Transitional housing facilities, 7-20 persons; see section 4.2
- 3. Institutional/Public
 - a. Club, order or lodge, fraternal, non-commercial
 - b. Coliseum or stadium/not associated with church or school; see section 4.2
 - c. Colleges, universities, research and training facilities
 - d. Funeral home, mortuary
 - e. Government facilities
 - f. Library or museum
 - g. Places of worship; see section 4.2
 - h. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - i. School, public kindergarten, elementary, middle or high schools
 - j. School, specialty; see section 4.2
 - k. School, vocational; see section 4.2

- l. Swimming pools, commercial; see section 4.2
 - m. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2
4. Commercial
- a. Adult daycare center, 7 or more; see section 4.2
 - b. Adult daycare facility, up to 6; see section 4.2
 - c. Ambulance service or emergency medical services, private
 - d. Animal hospital, veterinary clinic; see section 4.2
 - e. Art gallery
 - f. Automobile brokerage; see section 4.2
 - g. Automobile or truck rental or leasing facilities; see section 4.2
 - h. Automobile or truck sales; see section 4.2
 - i. Automobile wash/was service; see section 4.2
 - j. Automobile repair, minor; see section 4.2
 - k. Banks, credit unions or other similar financial institutions
 - l. Barber shop/beauty salon or similar establishments
 - m. Brewpub/beer growler
 - n. Building or construction office; see section 4.2
 - o. Catering establishments
 - p. Check cashing establishment, accessory; see section 4.2
 - q. Child day care facility, up to 6; see section 4.2
 - r. Child day care center (kindergarten), 7 or more
 - s. Clinic, health services
 - t. Coin laundry
 - u. Commercial greenhouse or plant nursery; see section 4.2
 - v. Dog day care; see section 4.2
 - w. Dog grooming; see section 4.2
 - x. Drive-through facilities; see section 4.2
 - y. Dry cleaning agencies, pressing establishments or laundry pick-up stations
 - z. Farmer's market, permanent; see section 4.2
 - aa. Fitness center
 - bb. Kennel, commercial
 - cc. Kidney dialysis center
 - dd. Medical or dental laboratories
 - ee. Landscape business
 - ff. Mini-warehouse; see section 4.2
 - gg. Office, medical
 - hh. Office, professional
 - ii. Parking, commercial lot; see section 4.2
 - jj. Parking, commercial garage
 - kk. Personal services establishment
 - ll. Recreation, indoor
 - mm. Recreational vehicle, boat and trailer sales and service
 - nn. Restaurants (accessory to hotel/motel)
 - oo. Restaurants (non drive-thru)
 - pp. Retail, 5,000 sf or less (with the exception of small box discount stores)

- qq. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center)
 - rr. Retail warehouses/wholesales providing sales of merchandise with no outdoor storage
 - ss. Shopping center
 - tt. Special events facility
 - uu. Taxi stand
 - vv. Theaters with live performance, assembly or concert halls, or similar entertainment within enclosed building
 - ww. Trade shops
5. Communications – Utility
- a. Essential services
 - b. Satellite television antenna; see section 4.2
6. Wireless Telecommunications
- a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
- 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Institutional/Public
 - a. School, vocational; see section 4.2
 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2
 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. New support structure from 50 feet up to 199 feet; see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2
- C. Special Land Use Permit
- The following uses are permitted only with a special land use permit:
- 1. Residential
 - a. Hotel/motel, extended stay; see section 4.2
 - b. Shelter for homeless persons for no more than 6 persons; see section 4.2

- 2. Institutional/Public
 - a. Cultural facilities

- 3. Commercial
 - a. Alcohol outlet -beer and/or wine store, beer growler, primary; see section 4.2
 - b. Alcohol outlet-beer and wine, accessory to retail less than 12,000sf; see section 4.2
 - c. Alcohol outlet-package store, primary; see section 4.2
 - d. Automobile service stations; see section 4.2
 - e. Bus or rail stations or terminals for passengers
 - f. Crematoriums; see section 4.2
 - g. Fuel pumps; see section 4.2
 - h. Heliport; see section 4.2
 - i. Liquor store (see alcohol outlet) ; see section 4.2
 - j. Nightclub or late night establishment; see section 4.2
 - k. Restaurants with a drive-thru configuration; see section 4.2

- D. Permitted Accessory
 - The following uses are permitted as accessory only to a principal use:
 - 1. Residential
 - a. Accessory uses or structures
 - b. Dormitory

 - 2. Commercial
 - a. Fuel pumps, accessory to large scale retail within 1,000 feet of interstate highway interchange measured from ROW to property line; see section 4.2
 - b. Kennel, breeding

 - 3. Industrial
 - a. Recycling collection

DIVISION 27. C-2 (GENERAL COMMERCIAL) DISTRICT

Sec. 2.27.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

(Ord. of 8-2-2017, § 1(2.27.2))

- A. Permitted Uses
 - The following uses are permitted as of right under this code:
 - 1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

 - 2. Residential

- a. Bed and breakfast establishment; see section 4.2
 - b. Child care facility, 6 or more
 - c. Child care home, 5 or less; see section 4.2
 - d. Child day care center
 - e. Hotel/motel
 - f. Live/work unit; see section 4.2
 - g. Nursing care facility or hospice
 - h. Personal care home, 6 or less; see section 4.2
 - i. Personal care home, 7 or more; see section 4.2
 - j. Shelter for homeless persons, no more than 6 persons; see section 4.2
 - k. Transitional housing facilities, 7-20 persons; see section 4.2
3. Institutional/Public
- a. Club, order or lodge, fraternal, non-commercial
 - b. Coliseum or stadium/not associated with church or school; see section 4.2
 - c. Colleges, universities, research and training facilities
 - d. Funeral home, mortuary
 - e. Golf course or clubhouse, public or private; see section 4.2
 - f. Government facilities
 - g. Library or museum
 - h. Places of worship; see section 4.2
 - i. Recreation, outdoor; see section 4.2
 - j. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - k. School, public kindergarten, elementary, middle or high schools
 - l. School, specialty; see section 4.2
 - m. School, vocational; see section 4.2
 - n. Swimming pools, commercial; see section 4.2
 - o. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2
4. Commercial
- a. Adult daycare center, 7 or more; see section 4.2
 - b. Adult daycare facility, up to 6; see section 4.2
 - c. Ambulance service or emergency medical services, private
 - d. Animal hospital, veterinary clinic; see section 4.2
 - e. Animal shelter/rescue center; see section 4.2
 - f. Art gallery
 - g. Automobile brokerage; see section 4.2
 - h. Automobile or truck rental or leasing facilities; see section 4.2
 - i. Automobile or truck sales; see section 4.2
 - j. Automobile upholstery shop
 - k. Automobile wash/wax service; see section 4.2
 - l. Automobile repair, major; see section 4.2
 - m. Automobile repair, minor; see section 4.2
 - n. Banks, credit unions or other similar financial institutions
 - o. Barber shop/beauty salon or similar establishments
 - p. Brewpub/beer growler

- q. Building or construction office; see section 4.2
- r. Catering establishments
- s. Check cashing establishment, accessory; see section 4.2
- t. Check cashing establishment, primary; see section 4.2
- u. Child day care facility, up to 6; see section 4.2
- v. Child day care center (kindergarten), 7 or more
- w. Clinic, health services
- x. Coin laundry
- y. Commercial greenhouse or plant nursery; see section 4.2
- z. Contractor office, heavy construction; see section 4.2
- aa. Contractor office, landscape; see section 4.2
- bb. Dog day care; see section 4.2
- cc. Dog grooming; see section 4.2
- dd. Drive-in theater; see section 4.2
- ee. Drive-through facilities; see section 4.2
- ff. Dry cleaning agencies, pressing establishments or laundry pick-up stations
- gg. Fairground or amusement park; see section 4.2
- hh. Farmer's market, permanent; see section 4.2
- ii. Fitness center
- jj. Fuel dealers or wholesalers
- kk. Kennel, breeding
- ll. Kennel, commercial
- mm. Kidney dialysis center
- nn. Medical or dental laboratories
- oo. Landscape business
- pp. Mini-warehouse; see section 4.2
- qq. Office, medical
- rr. Office, professional
- ss. Outdoor storage, commercial; see section 4.2
- tt. Parking, commercial lot; see section 4.2
- uu. Parking, commercial garage
- vv. Pawn shop, title loan; see section 4.2
- ww. Personal services establishment
- xx. Printing or publishing establishments
- yy. Recreation, indoor
- zz. Recreation, outdoor; see section 4.2
- aaa. Recreational vehicle, boat and trailer sales and service
- bbb. Restaurants (accessory to hotel/motel)
- ccc. Restaurants (non drive-thru)
- ddd. Retail, 5,000 sf or less (with the exception of small box discount stores)
- eee. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center)
- fff. Retail warehouses/wholesales providing sales of merchandise with no outdoor storage
- ggg. Shopping center
- hhh. Special events facility
- iii. Taxi, ambulance or limousine service, dispatching or storage; see section 4.2

- jjj. Taxi stand
- kkk. Theaters with live performance, assembly or concert halls, or similar entertainment within enclosed building
- lll. Trade shops

- 5. Industrial
 - a. Building materials or lumber supply establishment
 - b. Contractor, general
 - c. Contractor heavy construction, outside storage
 - d. Contractor, special trade
 - e. Heavy equipment repair service or trade

- 6. Communications – Utility
 - a. Essential services
 - b. Radio or television broadcasting studio
 - c. Radio or television or broadcasting transmission facility
 - d. Satellite television antenna; see section 4.2

- 7. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2

- B. Special Administrative Uses
The following uses are permitted only with administrative approval:
 - 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Institutional/Public
 - a. School, vocational; see section 4.2

 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2

 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. New support structure from 50 feet up to 199 feet; see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

- C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
 - 1. Residential

- a. Hotel/motel, extended stay; see section 4.2
- 2. Institutional/Public
 - a. Cultural facilities
- 3. Commercial
 - a. Alcohol outlet -beer and/or wine store, beer growler, primary; see section 4.2
 - b. Alcohol outlet-beer and wine, accessory to retail less than 12,000sf; see section 4.2
 - c. Alcohol outlet-package store, primary; see section 4.2
 - d. Automobile service stations; see section 4.2
 - e. Bus or rail stations or terminals for passengers
 - f. Crematoriums; see section 4.2
 - g. Fuel pumps; see section 4.2
 - h. Heliport; see section 4.2
 - i. Liquor store (see alcohol outlet) ; see section 4.2
 - j. Nightclub or late night establishment; see section 4.2
 - k. Restaurants with a drive-thru configuration; see section 4.2
- D. Permitted Accessory
 - The following uses are permitted as accessory only to a principal use:
 - 1. Residential
 - a. Accessory uses or structures
 - b. Dormitory
 - 2. Commercial
 - a. Fuel pumps, accessory to large scale retail within 1,000 feet of interstate highway interchange measured from ROW to property line; see section 4.2
 - b. Service area, outdoor; see section 4.2
 - 3. Industrial
 - a. Recycling collection

DIVISION 28. OD (OFFICE-DISTRIBUTION) DISTRICT

Sec. 2.28.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there exist supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

(Ord. of 8-2-2017, § 1(2.28.2))

- A. Permitted Uses
 - The following uses are permitted as of right under this code:
 - 1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

-
- 2. Residential
 - a. Hotel/motel

 - 3. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Club, order or lodge, fraternal, non-commercial
 - c. Coliseum or stadium/not associated with church or school; see section 4.2
 - d. Colleges, universities, research and training facilities
 - e. Educational use, private; see section 4.2
 - f. Golf course or clubhouse, public or private; see section 4.2
 - g. Government facilities
 - h. Library or museum
 - i. Places of worship; see section 4.2
 - j. Recreation club; see section 4.2
 - k. Recreation, outdoor; see section 4.2
 - l. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - m. School, public kindergarten, elementary, middle or high schools
 - n. School, specialty; see section 4.2
 - o. School, vocational; see section 4.2
 - p. Swimming pools, commercial; see section 4.2
 - q. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

 - 4. Commercial
 - a. Adult daycare center, 7 or more; see section 4.2
 - b. Adult daycare facility, up to 6; see section 4.2
 - c. Alcohol outlet -beer and/or wine store, beer growler, primary; see section 4.2
 - d. Alcohol outlet-beer and wine, accessory to retail less than 12,000sf; see section 4.2
 - e. Alcohol outlet-package store, primary; see section 4.2
 - f. Animal hospital, veterinary clinic; see section 4.2
 - g. Animal shelter/rescue center; see section 4.2
 - h. Art gallery
 - i. Barber shop/beauty salon or similar establishments
 - j. Building or construction office; see section 4.2
 - k. Child day care facility, up to 6; see section 4.2
 - l. Child day care center (kindergarten), 7 or more
 - m. Clinic, health services
 - n. Contractor office, heavy construction; see section 4.2
 - o. Contractor office, landscape; see section 4.2
 - p. Drive-through facilities; see section 4.2
 - q. Farmer's market, permanent; see section 4.2
 - r. Liquor store (see alcohol outlet); see section 4.2
 - s. Mini-warehouse; see section 4.2
 - t. Office, medical
 - u. Office, professional
 - v. Parking, commercial lot; see section 4.2

- w. Parking, commercial garage
 - x. Pawn shop, title loan; see section 4.2
 - y. Recreation, indoor
 - z. Recreation, outdoor; see section 4.2
 - aa. Restaurants (accessory to hotel/motel)
 - bb. Retail, 5,000 sf or less (with the exception of small box discount stores)
 - cc. Retail, over 5,000 sf (with the exception of small box discount stores, see also shopping center)
 - dd. Retail warehouses/wholesales providing sales of merchandise with no outdoor storage
 - ee. Shopping center
 - ff. Special events facility
 - gg. Taxi, ambulance or limousine service, dispatching or storage; see section 4.2
 - hh. Taxi stand
 - ii. Trade shops
5. Industrial
- a. Warehousing or storage
6. Communications – Utility
- a. Essential services
7. Wireless Telecommunications
- a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
- 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Institutional/Public
 - a. School, vocational; see section 4.2
 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2
 - 4. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. New support structure from 50 feet up to 199 feet; see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

1. Institutional/Public
 - a. Cultural facilities
2. Commercial
 - a. Alternative energy production
 - b. Fuel pumps; see section 4.2
 - c. Heliport; see section 4.2
 - d. Nightclub or late night establishment; see section 4.2

D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

1. Residential
 - a. Accessory uses or structures
 - b. Dormitory
2. Commercial
 - a. Fuel pumps, accessory to large scale retail within 1,000 feet of interstate highway interchange measured from ROW to property line; see section 4.2

DIVISION 29. OI (OFFICE-INSTITUTIONAL) DISTRICT

Sec. 2.29.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

(Ord. of 8-2-2017, § 1(2.29.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2
2. Residential
 - a. Bed and breakfast establishment
 - b. Child care home, 5 or less; see section 4.2
 - c. Child care facility, 6 or more; see section 4.2
 - d. Child day care center
 - e. Convents or monasteries; see section 4.2
 - f. Dwelling, multifamily
 - g. Hotel/motel

- h. Live/work unit
 - i. Nursing care facility or hospice
 - j. Personal care home, 6 or less; see section 4.2
 - k. Personal care home, 7 or more; see section 4.2
3. Institutional/Public
- a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Club, order or lodge, fraternal, non-commercial
 - c. Colleges, universities, research and training facilities
 - d. Funeral home, mortuary
 - e. Golf course or clubhouse, public or private; see section 4.2
 - f. Government facilities
 - g. Hospital or accessory ambulance service
 - h. Library or museum
 - i. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - j. Places of worship; see section 4.2
 - k. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - l. School, public kindergarten, elementary, middle or high schools
 - m. School, specialty; see section 4.2
 - n. School, vocational; see section 4.2
 - o. Swimming pools, commercial; see section 4.2
 - p. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2
4. Commercial
- a. Adult daycare center, 7 or more; see section 4.2
 - b. Automobile or truck rental or leasing facilities; see section 4.2
 - c. Banks, credit unions or other similar financial institutions
 - d. Building or construction office; see section 4.2
 - e. Catering establishments
 - f. Child day care facility, up to 6; see section 4.2
 - g. Child day care center (kindergarten), 7 or more
 - h. Clinic, health services
 - i. Drive-through facilities; see section 4.2
 - j. Dry cleaning agencies, pressing establishments, or laundry pick-up stations
 - k. Farmer's market, permanent; see section 4.2
 - l. Fitness center
 - m. Kidney dialysis center
 - n. Medical or dental laboratories
 - o. Office, medical
 - p. Office, professional
 - q. Printing or publishing establishments
 - r. Restaurants (accessory to hotel/motel)
 - s. Restaurant with a drive-thru configuration
 - t. Special events facility
 - u. Taxi stand

- v. Theaters with live performance, assembly or concert halls, or similar entertainment within an enclosed building
- w. Trade shops

- 5. Communications – Utility
 - a. Essential services
 - b. Radio or television broadcasting studio
 - c. Satellite television antenna; see section 4.2

- 6. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2

- B. Special Administrative Uses
The following uses are permitted only with administrative approval:
 - 1. Agricultural
 - a. Urban, community garden, over 5 acres

 - 2. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2

 - 3. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. New support structure from 50 feet up to 199 feet; see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

- C. Special Land Use Permit
The following uses are permitted only with a special land use permit:
 - 1. Residential
 - a. Dwelling, apartment
 - b. Fraternity or sorority house
 - c. Hotel/motel, extended stay
 - d. Senior housing; see section 4.2
 - e. Shelter for homeless persons, 7—20; see section 4.2
 - f. Shelter for homeless persons for no more than 6 persons; see section 4.2
 - g. Transitional housing facilities, 7-20 persons; see section 4.2

 - 2. Institutional/Public
 - a. Cultural facilities

3. Commercial
 - a. Barber shop/beauty salon or similar establishment
 - b. Fuel pumps; see section 4.2
 - c. Heliport; see section 4.2
 4. Industrial
 - a. Crematoriums; see section 4.2
- D. Permitted Accessory
- The following uses are permitted as accessory only to a principal use:
1. Residential
 - a. Accessory uses or structures
 - b. Dormitory
 2. Commercial
 - a. Barber shop/beauty salon or similar establishments
 - b. Liquor store (see alcohol outlet); see section 4.2
 - c. Nightclub or late night establishments; see section 4.2
 - d. Parking, commercial garage
 - e. Parking, commercial lot; see section 4.2
 - f. Personal services establishment
 - g. Restaurants (non drive-thru)
 - h. Retail 5,000 sf or less (with the exception of small box discount stores)
 3. Industrial
 - a. Recycling collection
 4. Communication-Utility
 - a. Radio or television broadcasting transmission facility

DIVISION 30. OIT (OFFICE-INSTITUTIONAL-TRANSITIONAL) DISTRICT

Sec. 2.30.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in [Table 4.1 below](#). In cases where a use is permitted, but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

(Ord. of 8-2-2017, § 1(2.30.2))

- A. Permitted Uses
- The following uses are permitted as of right under this code:
1. Agricultural Activities
 - a. Urban Community Garden, up to 5 acres; see section 4.2

-
2. Residential
 - a. Bed and breakfast establishment
 - b. Child care home, 5 or less; see section 4.2
 - c. Child day care center
 - d. Convents or monasteries; see section 4.2
 - e. Dwelling, single-family attached; see section 4.2
 - f. Dwelling, townhouse; see section 4.2
 - g. Dwelling, urban single-family; see section 4.2
 - h. Live/work unit
 - i. Nursing care facility or hospice
 - j. Personal care home, 6 or less; see section 4.2
 - k. Personal care home, 7 or more; see section 4.2

 3. Institutional/Public
 - a. Cemetery, columbarium, mausoleum; see section 4.2
 - b. Club, order or lodge, fraternal, non-commercial
 - c. Colleges, universities, research and training facilities
 - d. Funeral home, mortuary
 - e. Golf course or clubhouse, public or private; see section 4.2
 - f. Government facilities
 - g. Hospital or accessory ambulance service
 - h. Library or museum
 - i. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - j. Places of worship; see section 4.2
 - k. School, private kindergarten, elementary, middle or high schools; see section 4.2
 - l. School, public kindergarten, elementary, middle or high schools
 - m. School, specialty; see section 4.2
 - n. School, vocational; see section 4.2
 - o. Swimming pools, commercial; see section 4.2
 - p. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

 4. Commercial
 - a. Adult daycare center, 7 or more; see section 4.2
 - b. Automobile or truck rental or leasing facilities; see section 4.2
 - c. Banks, credit unions or other similar financial institutions
 - d. Barber shop/beauty salon or similar establishments
 - e. Building or construction office; see section 4.2
 - f. Catering establishments
 - g. Child day care facility, up to 6; see section 4.2
 - h. Child day care center (kindergarten), 7 or more
 - i. Clinic, health services
 - j. Dry cleaning agencies, pressing establishments, or laundry pick-up stations
 - k. Farmer's market, permanent; see section 4.2

- l. Fitness center
 - m. Kidney dialysis center
 - n. Medical or dental laboratories
 - o. Office, medical
 - p. Office, professional
 - q. Printing or publishing establishments
 - r. Restaurant with a drive-thru configuration
 - s. Special events facility
 - t. Taxi stand
 - u. Theaters with live performance, assembly or concert halls, or similar entertainment within an enclosed building
 - v. Trade shops
5. Communications – Utility
- a. Essential services
 - b. Satellite television antenna; see section 4.2
6. Wireless Telecommunications
- a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
- 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2
 - 3. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2
- C. Special Land Use Permit
- The following uses are permitted only with a special land use permit:
- 1. Residential
 - a. Child care facility, 6 or more; see section 4.2

- b. Dwelling, apartment
 - c. Senior housing; see section 4.2
 - d. Shelter for homeless persons, 7—20; see section 4.2
 - e. Shelter for homeless persons for no more than 6 persons; see section 4.2
 - f. Transitional housing facilities, 7-20 persons; see section 4.2
- 2. Institutional/Public
 - a. Cultural facilities
 - 3. Commercial
 - a. Barber shop/beauty salon or similar establishment
 - b. Fuel pumps; see section 4.2
 - c. Mini-warehouse; see section 4.2
 - 4. Wireless Telecommunications
 - a. New support structure from 51 feet to 150 feet; see section 4.2
- D. Permitted Accessory
- The following uses are permitted as accessory only to a principal use:
- 1. Residential
 - a. Accessory uses or structures
 - b. Dormitory
 - 2. Commercial
 - a. Personal services establishment
 - b. Restaurants (non drive-thru)
 - c. Retail 5,000 sf or less (with the exception of small box discount stores)

DIVISION 31. M (LIGHT INDUSTRIAL) DISTRICT

Sec. 2.31.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in [Table 4.1 below](#). In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

(Ord. of 8-2-2017, § 1(2.31.2))

- A. Permitted Uses
- The following uses are permitted as of right under this code:
- 1. Agricultural Activities
 - a. Dairy
 - b. Keeping of livestock
 - c. Keeping of poultry/pigeons
 - d. Sawmill; temporary or portable
 - e. Urban Community Garden, up to 5 acres; see section 4.2

2. Institutional/Public
 - a. Colleges, universities, research and training facilities
 - b. Golf course or clubhouse, public or private; see section 4.2
 - c. Government facilities
 - d. Hospital or accessory ambulance service
 - e. Places of worship; see section 4.2
 - f. Swimming pools, commercial; see section 4.2
 - g. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2

3. Commercial
 - a. Adult daycare center, 7 or more; see section 4.2
 - b. Alcohol outlet-package store, primary; see section 4.2
 - c. Alcohol outlet- beer and/or wine store, beer growler, primary; see section 4.2
 - d. Alcohol outlet-beer and wine, accessory to retail less than 12,000 sf (see also 4.1.3 (F)) ; see section 4.2
 - e. Ambulance service or emergency medical services, private
 - f. Animal hospital, veterinary clinic; see section 4.2
 - g. Animal shelter/rescue center; see section 4.2
 - h. Automobile brokerage; see section 4.2
 - i. Automobile recovery and storage
 - j. Automobile service station; see section 4.2
 - k. Automobile or truck rental or leasing facilities; see section 4.2
 - l. Automobile or truck sales; see section 4.2
 - m. Automobile upholstery shop
 - n. Automobile wash/was service; see section 4.2
 - o. Automobile repair, major; see section 4.2
 - p. Automobile repair, minor; see section 4.2
 - q. Banks, credit unions or other similar financial institutions
 - r. Barber shop/beauty salon or similar establishments
 - s. Brewery, craft (micro-brewery)
 - t. Brewpub/beer growler
 - u. Building or construction office; see section 4.2
 - v. Catering establishments
 - w. Check cashing establishment, accessory; see section 4.2
 - x. Check cashing establishment, primary; see section 4.2
 - y. Child day care center (kindergarten), 7 or more
 - z. Clinic, health services
 - aa. Club, order or lodge, fraternal, non-commercial
 - bb. Commercial greenhouse or plant nursery; see section 4.2
 - cc. Contractor office, landscape; see section 4.2
 - dd. Distillery (micro-distillery)
 - ee. Dog day care; see section 4.2
 - ff. Dog grooming; see section 4.2
 - gg. Drive-in theater; see section 4.2
 - hh. Drive-through facilities; see section 4.2
 - ii. Dry cleaning agencies, pressing establishments or laundry pick-up stations
 - jj. Fairground or amusement park; see section 4.2

- kk. Farmer's market, permanent; see section 4.2
 - ll. Fitness center
 - mm. Fuel dealers or wholesalers
 - nn. Heliport; see section 4.2
 - oo. Kennel, breeding
 - pp. Kennel, commercial
 - qq. Kidney dialysis center
 - rr. Medical or dental laboratories
 - ss. Landscape business
 - tt. Liquor store (see alcohol outlet) ; see section 4.2
 - uu. Mini-warehouse; see section 4.2
 - vv. Outdoor storage, commercial; see section 4.2
 - ww. Parking, commercial lot; see section 4.2
 - xx. Parking, commercial garage
 - yy. Pawn shop, title loan; see section 4.2
 - zz. Personal services establishment
 - aaa. Printing or publishing establishments
 - bbb. Recreational vehicle, boat and trailers sales and service
 - ccc. Restaurants (non drive-thru)
 - ddd. Retail, 5,000 sf or less (with the exception of small box discount stores)
 - eee. Retail warehouses/wholesales providing sales of merchandise with no outdoor storage
 - fff. Special events facility
 - ggg. Taxi, ambulance or limousine service, dispatching or storage; see section 4.2
 - hhh. Taxi stand
 - iii. Trade shops
4. Industrial
- a. Alternative energy production
 - b. Building materials or lumber supply establishment
 - c. Contractor, general
 - d. Contractor heavy construction, outside storage
 - e. Contractor, special trade
 - f. Crematorium; see section 4.2
 - g. Fabricated metal manufacture without EPD permit required (Light manufacturing)
 - h. General aviation airport; see section 4.2
 - i. Heavy equipment repair service or trade
 - j. Industrial, light
 - k. Manufacturing, light
 - l. Outdoor storage, industrial; see section 4.2
 - m. Railroad car classification yards or team truck yards; see section 4.2
 - n. Recovered materials facility wholly within a building; see section 4.2
 - o. Recovered materials processing wholly within a building
 - p. Recycling collection
 - q. Recycling plant
 - r. Research and testing facilities
 - s. Towing or wreckage service
 - t. Transportation equipment storage or maintenance (vehicle) ; see section 4.2
 - u. Truck stop

- v. Truck terminal
 - w. Vehicle storage yard
 - x. Warehousing or storage
5. Communications – Utility
 - a. Essential services
 - b. Radio or television broadcasting studio
 - c. Radio or television or broadcasting transmission facility
 - d. Satellite television antenna; see section 4.2
 6. Wireless Telecommunications
 - a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
1. Agricultural
 - a. Urban, community garden, over 5 acres
 2. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2
 3. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. New support structure from 50 feet up to 199 feet; see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2
- C. Special Land Use Permit
- The following uses are permitted only with a special land use permit:
1. Institutional/Public
 - a. Cultural facilities
 - b. School, specialty; see section 4.2
 - c. School, vocational; see section 4.2
 2. Commercial
 - a. Bus or rail stations or terminals for passengers
 - b. Fuel pumps; see section 4.2
 - c. Nightclub or late night establishment; see section 4.2
 - d. Recreation, outdoor; see section 4.2
 - e. Restaurants with a drive-thru configuration; see section 4.2

D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

1. Commercial
 - a. Fuel pumps, accessory to large scale retail within 1,000 feet of interstate highway interchange measured from ROW to property line; see section 4.2
 - b. Service area, outdoor; see section 4.2
2. Industrial
 - a. Incidental retail sales of goods produced or processed on the premises

DIVISION 32. M-2 (HEAVY INDUSTRIAL) DISTRICT

Sec. 2.32.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided in ~~Table 4.1~~ below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

(Ord. of 8-2-2017, § 1(2.32.2))

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities
 - a. Dairy
 - b. Livestock sales pavilion; see section 4.2
 - c. Sawmill; temporary or portable
 - d. Urban Community Garden, up to 5 acres; see section 4.2
2. Institutional/Public
 - a. Government facilities
 - b. Places of worship; see section 4.2
3. Commercial
 - a. Animal hospital, veterinary clinic; see section 4.2
 - b. Animal shelter/rescue center; see section 4.2
 - c. Automobile brokerage; see section 4.2
 - d. Automobile recovery and storage
 - e. Automobile service station; see section 4.2
 - f. Automobile or truck sales; see section 4.2
 - g. Automobile upholstery shop
 - h. Automobile repair, major; see section 4.2
 - i. Automobile repair, minor; see section 4.2
 - j. Building or construction office; see section 4.2
 - k. Check cashing establishment, accessory; see section 4.2
 - l. Contractor office, landscape; see section 4.2
 - m. Dog day care; see section 4.2
 - n. Dog grooming; see section 4.2

- o. Drive-in theater; see section 4.2
 - p. Dry cleaning agencies, pressing establishments or laundry pick-up stations
 - q. Fairground or amusement park; see section 4.2
 - r. Farmer's market, permanent; see section 4.2
 - s. Fitness center
 - t. Fuel dealers or wholesalers
 - u. Heliport; see section 4.2
 - v. Kennel, breeding
 - w. Kennel, commercial
 - x. Medical or dental laboratories
 - y. Landscape business
 - z. Mini-warehouse; see section 4.2
 - aa. Outdoor storage, commercial; see section 4.2
 - bb. Printing or publishing establishments
 - cc. Retail, 5,000 sf or less (with the exception of small box discount stores)
 - dd. Service area, outdoor; see section 4.2
 - ee. Sexually oriented businesses; see section 4.2
 - ff. Taxi, ambulance or limousine service, dispatching or storage; see section 4.2
 - gg. Taxi stand
 - hh. Trade shops
4. Industrial
- a. Alternative energy production
 - b. Brewery, Large scale
 - c. Contractor, general
 - d. Contractor heavy construction, outside storage
 - e. Contractor, special trade
 - f. Crematorium; see section 4.2
 - g. Distillery, Large scale
 - h. Fabricated metal manufacturing without EPD Permit Required (Light Manufacturing)
 - i. General aviation airport; see section 4.2
 - j. Heavy equipment repair service or trade
 - k. Industrial, heavy
 - l. Industrial, light
 - m. Intermodal freight terminal, bus or rail freight or passenger terminal, or truck terminal
 - n. Manufacturing, heavy; see section 4.2
 - o. Manufacturing, light
 - p. Manufacturing operations not housed within a building; see section 4.2
 - q. Mines or mining operations, quarries, asphalt plants, gravel pits or soil pits; see section 4.2
 - r. Outdoor storage, industrial; see section 4.2
 - s. Railroad car classification yards or team truck yards; see section 4.2
 - t. Recovered materials facility wholly within a building; see section 4.2
 - u. Recovered materials processing wholly within a building
 - v. Recycling collection
 - w. Recycling plant

- x. Research and testing facilities
 - y. Salvage yard (junkyard); see section 4.2
 - z. Storage yard, except vehicle; see section 4.2
 - aa. Storage yard for vehicles; see section 4.2
 - bb. Towing or wreckage service; see section 4.2
 - cc. Transportation equipment storage or maintenance (vehicle) ; see section 4.2
 - dd. Truck stop
 - ee. Truck terminal
 - ff. Vehicle storage yard
 - gg. Warehousing or storage
5. Communications – Utility
- a. Essential services
 - b. Radio or television broadcasting studio
 - c. Radio or television or broadcasting transmission facility
 - d. Satellite television antenna; see section 4.2
6. Wireless Telecommunications
- a. Attached wireless telecommunication facility; see section 4.2
 - b. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses
- The following uses are permitted only with administrative approval:
- 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales; seasonal; see section 4.2
 - d. Temporary outdoor sales or events, seasonal; see section 4.2
 - e. Temporary produce stand; see section 4.2
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2
 - 3. Wireless Telecommunications
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
 - b. New support structure from 50 feet up to 199 feet; see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2
- C. Special Land Use Permit
- The following uses are permitted only with a special land use permit:
- 1. Institutional/Public
 - a. School, specialty; see section 4.2
 - b. School, vocational; see section 4.2

- 2. Commercial
 - a. Bus or rail stations or terminals for passengers
 - b. Fuel pumps; see section 4.2
 - c. Nightclub or late night establishment; see section 4.2

- 3. Industrial
 - a. Fabricated metal manufacturing with EPD Permit Required (Heavy Manufacturing)

D. Permitted Accessory

The following uses are permitted as accessory only to a principal use:

- 1. Industrial
 - a. Incidental retail sales of goods produced or processed on the premises

Sec. 2.32.5. ~~Solid waste facility/landfill use provisions.~~ [RESERVED]

~~Any solid waste facility, solid waste handling facility, or landfill must obtain a special land use permit from the City Council and a modification or addition of zoning conditions that specifically authorizes and identifies all necessary zoning requirements for each such facility. If granted, the zoning district classification for such property shall be identified as M-2 (Conditional Landfill). [TMOD-22-001]~~

CHAPTER 27: ZONING ORDINANCE

ARTICLE 3 – OVERLAY DISTRICT REGULATIONS

DIVISION 1. OVERLAY DISTRICT

DIVISION 1. OVERLAY DISTRICTS

Sec. 3.1.1. Overlay districts generally.

Overlay districts are supplemental to the zoning district classifications established in article 2 of this chapter. This section shall supersede the applicability statements in each overlay district except as provided in subsection (F) of this section, and are applicable as follows:

- A. All development and building permits for lots located, in whole or in part, within any overlay district shall meet all of the regulations of the underlying zoning district in which they are located as well as all of the regulations of the applicable overlay district.
- B. For new development after the effective date of the ordinance from which this chapter is derived, when no complete application for a land disturbance or building permit has been filed with respect to a property located within an overlay district and the property has conditions of zoning that were approved prior to, and in conflict with the overlay district regulations contained in this article, the overlay district regulations shall prevail. If a condition of zoning does not conflict with the overlay district regulations, the condition of zoning shall remain applicable to the property.
- C. For existing development, if overlay district regulations conflict with the conditions of zoning applicable to property within in an overlay district, the existing zoning conditions remain applicable to the property.
- D. If overlay district regulations conflict with other regulations contained in this chapter, the overlay district regulations shall prevail.
- E. The use of property may be permitted without rezoning if listed as allowed by the overlay. Uses allowed by the underlying zoning in article 4 of this chapter, shall also be permitted in the overlay district, unless they are listed as prohibited within the overlay district.
- F. Each application for a business license, land disturbance permit, building permit or sign permit, which involves the development, use, exterior alteration, exterior modification or addition of any structure, must demonstrate compliance with all overlay district regulations, subject to article 8 of this chapter, nonconforming uses, structures and buildings.

ARTICLE 3. OVERLAY DISTRICT REGULATIONS

G. The zoning district designations contained in article 3 of this chapter, titled Overlay District Regulations, were not revised to reflect the new zoning district designations utilized in the updated zoning ordinance. Any discontinued zoning district references contained in this article 3 of this chapter shall therefore be construed using the conversion chart contained in Table 1.1 of article 1 of the zoning ordinance, and applied as appropriate to the updated provision of the zoning ordinance.

H. When a plan package for a proposed development is submitted for conceptual plan review or a final design package approval for a land disturbance or building permit application, the governing district by related to design or dimensional standards by which the development will be reviewed under must be clearly stated. That governing district standards must be associated with either the underlying zoning district, or an authorized district as permitted by the applicable Overlay Tier at the time of application submittal.

I. If the governing underlying district does not match the existing underlying district, the city may initiate a rezoning of the underlying property to the governing district, with property owner approval, at any point after final plat approval or the issuance of a Certification of Occupancy.

(Ord. of 8-2-2017, § 1(3.1.1))

Sec. 3.1.2. Purpose and intent.

Each Subarea Overlay has its own purpose and intent based on original overlay requirements.

(Ord. of 8-2-2017, § 1(3.1.2))

Sec. 3.1.3. Plan submittal, review and approval.

A. Pre-submittal conference. Prior to the submittal for review of a land disturbance or building permit application for property located within an overlay district, the applicant and the staff shall have a preliminary meeting to discuss the submittal requirements.

B. Conceptual plan submittal requirements. As part of any land-disturbance permit, building permit, or sign permit application, the applicant shall submit to the director of planning a conceptual plan package and a final design package. Each package must include full architectural and landscape plans and specifications. The submitted plans must include a site plan, architectural elevations and sections; renderings depicting the building design including elevations and architectural details of proposed buildings, exterior materials and colors, and plans and elevations of all hardscape, landscape and signs, all of which shall demonstrate that the proposed design is in compliance with all the requirements of the applicable overlay district and the underlying zoning classification. **The plans must clearly state the governing district requirements by which the plans will be reviewed.** If the proposed development is also located in an historic district as designated in the Code, the development shall also comply with the regulations established for the historic district in chapter 13.5 of the DeKalb County Code.

C. Review by staff. Staff will review the conceptual plans for compliance with specifications and design guidelines contained in this zoning ordinance **for the governing district requested by the**

applicant. If the application fails to comply with any section in this zoning ordinance, the application shall be marked "failed compliance," shall be returned to the applicant with any comments and/or redlines for revisions, and may be re-submitted with corrections addressing the staffs comments and/or redlines for further consideration. Once the application is found to be in compliance, the final design shall be forwarded to the director of planning for approval.

1. Where the director of planning determines that said plans comply with the requirements of the overlay district, the director of planning shall approve the plans for compliance as part of the application for land disturbance, building or signs permits.
 2. Where the director of planning determines that submitted conceptual plans do not comply with the requirements of this chapter, then the director of planning shall notify the applicant in writing of the manner in which the conceptual plans fail to comply with such requirements. All applications shall be considered and decided by the director of planning within 30 days of receipt of a complete application.
 3. Any appeal to vary overlay district development standards shall be to the zoning board of appeals pursuant to article 7 of this chapter.
- D. Fees. Plans shall be accompanied by an application and payment of a fee in an amount determined by the city council.

(Ord. of 8-2-2017, § 1(3.1.3))

Sec. 3.1.4. Conceptual plan package review.

- A. The conceptual plan package shall include the following:
1. A narrative addressing the proposed development explaining how it meets the purpose, intent, and standards of this article. **The narrative shall include a statement of what governing district review standards will be applied.** The narrative shall include a tabulation of the approximate number of acres for each different land use type within the project, the approximate number of dwelling units by type, the approximate gross residential density, the approximate commercial density as well as square feet, the common open space acreage, the approximate open space acreage, the anticipated number, type and size of recreational facilities and other public amenities, and the legal mechanism for protecting and maintaining common/public open, as required in article 5 of this chapter;
 2. A site location map showing the proposed development, abutting properties, the access connections of the proposed development to surrounding and existing development, and transitional buffer zones, if required;
 3. A multi-modal access plan, prepared at a scale not greater than one inch equals 100 feet, to demonstrate a unified plan of continuous access to and between all structures in the proposed development and adjacent properties where connections are appropriate. The multi-modal access plan shall cover the entire proposed development along with public right-of-way of adjoining streets and any other property lying between the subject property and any primary or secondary streets. Safe and convenient pathways shall be provided from sidewalks along streets to each structure entrance,

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including pedestrian access routes across parking lots and between adjacent buildings within the same development. Connections to available transportation nodes, such as driveways, sidewalks, and bike paths shall be shown along adjacent streets and those entering adjoining properties. Where an existing or planned public transportation station or stop is within 1,250 feet from the nearest boundary of the subject property, the access plan shall show how pedestrians may safely travel from such station or stop to the subject property. Where an existing or planned bike path is located within 1,500 feet from the nearest boundary of the subject property, the access plan shall show how safe, continuous and convenient bicycle access shall be provided to the subject property.

4. Two copies of a plan drawn to a designated scale of not less than one inch equals 100 feet, certified by a professional engineer or land surveyor licensed by the state, presented on a sheet having a maximum size of 24 inches by 36 inches, and one 8½ inches by 11 inches reduction of the plan. A .jpg copy of the plan shall be e-mailed to the director of planning. If presented on more than one sheet, match lines shall clearly indicate where the several sheets join. Such plan shall contain the following information:

- a. Boundaries of the entire property proposed to be included in the development, with bearings and distances of the perimeter property lines;
- b. Scale and north arrow, with north, to the extent feasible, oriented to the top of the plat and on all supporting graphics;
- c. Location and approximate dimensions in length and width, for landscape strips and required transitional buffers, if any;
- d. Existing topography with a maximum contour interval of five feet and a statement indicating whether it is an air survey or field run;
- e. Delineation of any floodplain designated by the Federal Emergency Management Agency, United States Geological Survey, or City of Stonecrest;
- f. Delineation of any jurisdictional wetlands, as defined by section 404 of the Federal Clean Water Act;
- g. Approximate delineation of any significant historic or archaeological feature, grave, object or structure marking a place of burial if known, and a statement indicating how the proposed development will impact it;
- h. Delineation of all existing structures and whether they will be retained or demolished;
- i. General location, in conceptual form, of proposed uses, lots, buildings, building types and building entrances;
- j. Height and setback of all existing and proposed buildings and structures;
- k. Location, size and number of all on-street and off-street parking spaces, including a shared parking analysis, if shared parking is proposed;

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- l. Identification of site access points and layout, width of right-of-way and paved sections of all internal streets;
 - m. Conceptual plans for drainage with approximate location and estimated size of all proposed stormwater management facilities and a statement as to the type of facility proposed;
 - n. Development density and lot sizes for each type of use;
 - o. Areas to be held in joint ownership, common ownership or control;
 - p. Identification of site access points and layout, width of right-of-way and paved sections of all internal streets;
 - q. Location of proposed sidewalks and bicycle facilities, trails, recreation areas, parks, and other public or community uses, facilities, or structures on the site;
 - r. Conceptual layout of utilities and location of all existing and proposed utility easements having a width of ten feet or more;
 - s. Standard details of signs, sidewalks, streetlights, driveways, medians, curbs and gutters, landscaped areas, fencing, street furniture, bicycle lanes, streets, alleys, and other public improvements demonstrating compliance with the design guidelines for the overlay district; and
 - t. Seal and signature of the professional preparing the plan.
5. Two copies of the conceptual building designs including elevation drawings drawn to a scale of not less than one-sixteenth-inch equals one foot showing architectural details of proposed building, exterior materials, all of which demonstrate that the proposed design is in compliance with the Subarea Overlay District in which it is located. Drawings shall be presented on a sheet having a maximum size of 24 inches by 36 inches, along with one 8½ inches by 11 inches reduction of each sheet. A .pdf copy of the drawings shall be e-mailed to the director of planning. If the drawings are presented on more than one sheet, match lines shall clearly indicate where the several sheets join.
6. Lighting plan. See article 5 of this chapter.
7. Traffic study. See article 5 of this chapter.

(Ord. of 8-2-2017, § 1(3.1.4))

Sec. 3.1.5. Final design package.

Upon receiving and addressing the city's comments with respect to the conceptual design package, the applicant must submit the final design package, including color .pdf copies, for review and approval. The final design package must contain a statement of which governing district standards are being applied, full architectural and landscape plans, site plan, elevations, section renderings depicting the building design containing elevations and architectural detailing of proposed buildings, exterior materials and color, and plans and elevations of hardscape landscape and signs all of which must demonstrate compliance with overlay district regulations. All items and specifications necessary for obtaining land

disturbance and building permits must be submitted with the final design package. The applicant may submit the final design package simultaneously with the land disturbance or building permit application, as applicable.

(Ord. of 8-2-2017, § 1(3.1.5))

Sec. 3.1.6. – Overlay Use table.

Table 3.1 indicates the permitted uses within the overlay zoning districts. Even though a use is listed as an allowable use within a particular base zoning district, additional use restrictions may apply based on the applicable overlay zoning district requirements specified in this article.

A. The uses listed in Table 3.1 shall be permitted only within the zoning overlay districts identified, and no use shall be established and no structure associated with such use shall be erected, structurally altered or enlarged unless the use is permitted as:

1. A permitted use (P);
2. A special use (SP) subject to the special land use permit application procedures specified in article 7 of this chapter;
3. An administratively approved use (SA) subject to the special administrative permit procedures specified in article 7 of this chapter;
4. An accessory use (PA) as regulated by article 4 of this chapter. Table 3.1 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
5. Uses lawfully established prior to the effective date of this zoning ordinance.

B. Any use not listed in Table 3.1, below, or interpreted to be allowed by the director of planning pursuant to section 4.1.2 is prohibited. Any applicant denied a permit to allow a use of property in a zoning district other than as provided in this section may file an appeal before the zoning board of appeals as provided in article 7 of this chapter.

C. If there is a conflict between Table 3.1 and the text of this chapter, the text shall prevail.

Table 3.1 Overlay Use Table

Land Use	Stonecrest Area Overlay				Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	See Section
	T1	T2	T3	T4	T1	T2	T3		
"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use * Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.	T1	T2	T3	T4	T5*	T6*	In Mixed Use Development In Mixed Use Development In Mixed Use Development		
AGRICULTURAL ACTIVITIES									
Agriculture and Forestry									
Sawmill, Temporary or portable sawmill			P						✓
Animal Oriented Agriculture									
RESIDENTIAL									
Dwellings									
Dwelling, apartment	SP	SP							
High-rise apartment	SP	SP							

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Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	See Section
	T1	T2	T3	T4	T5*	T6*	T1	T2	T3		
"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use											
* Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.	T1	T2	T3	T4	T5*	T6*	In Mixed Use Development	In Mixed Use Development	In Mixed Use Development		
Housing and Lodging											
Bed and breakfast homes											P
Bed and breakfast establishments	P	SP	P	P							✓
Bed and breakfast, home stay		P	SP								✓
Child earing care home, up to 5	P	P	P	P							✓
Child earing care facility, 6 or more	P	P	P	P							✓
Extended stay hotel/motel Hotel, Motel, Extended Stay	SP	SP	SP	SP			X	X	X		✓

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Land Use	Stonecrest Area Overlay	Interstate 20 Corridor Overlay*	Arabia Mountain Conservation Overlay*
<p>"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use</p> <p>* Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.</p>	T1	T1	
	T2	T2	
	T3	T3	
	T4	T4	
	T5*	T5*	
	T6*	T6*	
			In Mixed Use Development
			In Mixed Use Development
			In Mixed Use Development
INSTITUTIONAL/PUBLIC			
Community Facilities			
		P	P
Utility structure necessary for the transmission or distribution of services			
Education			
	P		✓
Private educational services, home-occupation Educational use, private			
School, Private kindergarten, elementary, middle or high schools	P	P	✓
School, Public kindergarten, elementary, middle or high	P	P	✓
School, Vocational schools	P	P	
School, Specialized schools	P	P	✓

See Section 4.2

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Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	
	T1	T2	T3	T4	T5*	T6*	T1	T2	T3		
"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use * Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.	T1	T2	T3	T4	T5*	T6*	In Mixed Use Development	In Mixed Use Development	In Mixed Use Development	See Section 4.2	
COMMERCIAL											
Automobile, boat and trailer sales and service											
Automobile recovery and storage											X
Automobile repair or maintenance, minor	P	X	X	P	P		P	P	P		X
Boat sales Recreational vehicle boat and trailer sales and service	P	P	P	P							X
Trailer or RV salesroom and lot	P	P	P	P							X
Office											
Accounting office	P	P	P	P			P	P	P		
Building, landscape, heavy construction contractor office (material, equipment, storage)	P	P	P	P							X

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Engineering or architecture office	P	P	P	P	P	P	P	P	P													
Finance office or banking	P	P	P	P	P	P	P	P	P													
General Business Office	P	P	P	P	P	P	P	P	P													
Insurance Office	P	P	P	P	P	P	P	P	P													
Legal Office	P	P	P	P	P	P	P	P	P													
Medical Office	P	P	P	P	P	P	P	P	P													
Real Estate Office	P	P	P	P	P	P	P	P	P													
Office, Heavy Construction contractor	P	P	P	P	P	P	P	P	P													✓
Office, Landscape Contractor	P	P	P	P	P	P	P	P	P													✓
Office, Professional	P	P	P	P	P	P	P	P	P													
Land Use	Stonecrest Area Overlay										Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*		See Section 4.2						
"Key: P - Permitted use	T1	T2	T3	T4	T5*	T6*	T1	T2	T3													
Pa - Permitted as an accessory Use																						
SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use																						

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* Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.																					
	Recreation and Entertainment																				
	Recreation, indoor recreation (bowling alleys, movies, and other activities conducted wholly indoors)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreation Outdoor recreation (miniature golf, batting cages, tennis, Go-cart and other outdoor activity)	P	P	P	P	X					X	X	X	X	X	X	X	X	X	X	✓	
Retail																					
Apparel or accessories store	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Art supply store																					

Land Use	Stonecrest Area Overlay	Interstate 20 Corridor Overlay*	Arabia Mountain Conservation Overlay*	See Section 4.2
"Key: P - Permitted use		T1 T2 T3		

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	T1	T2	T3	T4	T5*	T6*	In Mixed Use Development	In Mixed Use Development	In Mixed Use Development
Pa - Permitted as an accessory Use									
SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use									
* Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.									
Book-greeting-card,-or-stationery-store	P	P	P	P	P		P	P	
Camera-or-photography	P	P	P	P	P		P	P	
Computer-or-computer-software-store	P	P	P	P	P		P	P	
Electrical-supply-store							P	P	
Farm-or-garden-supply-store	X	X					P	P	
Florist	P	P	P	P	P		P	P	
Specialty food stores (e.g., coffee, ice cream) (see alcohol-outlet)	P	P	P	P	P		P	P	
Fuel-dealers,-manufacturers-or-wholesalers	P	P	P	P	P				X
Fuel pumps	X	X	X	X	X				X
Furniture,-home-furnishings-and-equipment-store							P	P	
General-merchandise-store							P	P	
Gift,-novelty,-or-souvenir-store	P	P	P	P	P		P	P	
Gold-buying,-precious-metals	P	P	P	P	P				

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Grocery stores (see alcohol outlet)	P	P	P	P	P	P	P	P											
Hardware store or other building materials store	P	P	P	P	P	P	P	P											
Hobby, toy or game store	P	P	P	P	P	P	P	P											
Jewelry store	P	P	P	P	P	P	P	P											
Music or music equipment store (retail)	P	P	P	P	P	P	P	P											
News dealer or news store	P	P	P	P	P	P	P	P											
Office supplies and equipment store	P	P	P	P	P	P	P	P											
Paint, glass and wallpaper store																			

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Land Use	Stonecrest Area Overlay					Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	See Section 4.2		
	T1	T2	T3	T4	T5*	T6*	T1	T2			T3	
"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use												
* Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.	T1	T2	T3	T4	T5*	T6*	In Mixed Use Development	In Mixed Use Development	In Mixed Use Development			
Pet supply store	P	P	P	P	P		P	P	P			
Pharmacy or drug store (see alcohol outlet)	P	P	P	P	P		P	P	P			
Radio, television or consumer electronics store	P	P	P	P	P		P	P	P			
Retail, 5,000 sf or less (with the exception of small box discount stores)	P	P	P	P	P							
Retail, over 5,000 sf (see also shopping center, with the exception of small box discount stores)	P	P	P	P	P							
Specialty store	P	P	P	P	P		P	P	P			
Sporting goods or bicycle sale	P	P	P	P	P		P	P	P			
Thrift, secondhand, antique store	P	P	P	P	P		P	P	P			

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Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no-outside storage	P	P	P	P	P	P												
Variety store	P	P	P	P	P	P												
Videotape sales and rental store																		
Temporary Commercial Uses																		
Temporary outdoor sales or events	P	P	P	P	P	P												✓
Restaurant/Food establishments																		
Transportation and Storage																		

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Land Use	Stonecrest Area Overlay					Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	See Section 4.2
	T1	T2	T3	T4	T5*	T6*	T1	T2		
"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use * Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.	T1	T2	T3	T4	T5*	T6*	In Mixed Use Development	In Mixed Use Development	In Mixed Use Development	
Services										
Animal grooming										
Business service establishment							P	P	P	
Kennel, breeding or boarding	X	X	X	X	X		X	X	X	
Linen and diaper service, garment pressing, alterations and repair							P	P	P	

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Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*
	T1	T2	T3	T4	T5*	T6*	T1	T2	T3	
"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use * Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.	T1	T2	T3	T4	T5*	T6*	In Mixed Use Development	In Mixed Use Development	In Mixed Use Development	See Section 4.2
Photoengraving, typesetting, electrotyping	P	P	P	P						
Photographic studios	P	P	P	P						
Plumbing, HV/AC equipment establishments with no outdoor storage	P	P	P	P						
Publishing or printing establishments	P	P	P	P						
Quick-copy printing store	P	P	P	P						
Services, Medical and Health										
Health services clinic	P	P	P	P	P					
Home healthcare service	P	P	P	P						
Medical or dental laboratories	P	P	P	P	P					
Services, Repair										

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Furniture-upholstery or repair; home-appliance-repair or service	X	X	X	X																
Radio, television and similar home-appliance-repair-service					P	P	P	P												
Personal service, repair (watch, shoes, jewelry)	P	P	P	P	P	P	P	P												
INDUSTRIAL																				
Alcohol or alcoholic beverage manufacturing																				
Automobile/truck manufacturing																				
Brick, clay, tile, or concrete products-terra-cotta-manufacturing																				

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Land Use	Stonecrest Area Overlay					Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	See Section 4.2
	T1	T2	T3	T4	T5*	T6*	T1	T2		
"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use * Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence	T1	T2	T3	T4	T5*	T6*	In Mixed Use Development	In Mixed Use Development	In Mixed Use Development	
Cement, lime, gypsum, or plaster of Paris manufacturing										
Compressed gas fuel station	SP	SP	SP	P						
Chemical manufacture, organic or inorganic										
Distillation of bones or glue manufacture										
Dry cleaning plant			P							
Dye works										
Explosive manufacture or storage										
Fabricated metal manufacture										
Fat rendering or fertilizer manufacture										

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Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*
	T1	T2	T3	T4	T5*	T6*	T1	T2	T3	
"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use * Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.	T1	T2	T3	T4	T5*	T6*	In Mixed Use Development	In Mixed Use Development	In Mixed Use Development	See Section 4.2
Paper or pulp manufacture										✓
Petroleum or inflammable liquids production, refining										✓
Radioactive materials: utilization, manufacture, processing or emission										✓
Railroad car classification yards or team truck yards		P								✓
Recovered materials facility wholly within a building		P								✓
Recovered materials processing wholly within a building		P								✓
Recycling plant		P								
Repair/manufacture of clocks, watches, toys, electrical appliances, electronic, light sheet		P								

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Research, experimental or testing laboratories and training facilities																	
Rubber or plastics manufacture																	
Smelting: copper, iron, zinc, or ore																	
Storage yard for damaged or confiscated vehicles		X					X	X	X								
Towing or wreckage service																	
Truck stop or terminal																X	
Truck Terminal																X	
Warehousing or Storage	P	P															X

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Land Use	Stonecrest Area Overlay	Interstate 20 Corridor Overlay*	Arabia Mountain Conservation Overlay*
"Key: P - Permitted use Pa - Permitted as an accessory Use SA - Special administrative permit required SP - Special Land Use Permit (SLUP) required X - Prohibited Use * Note : Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence.	T1	T1	See Section 4.2
	T2 T3 T4 T5* T6*	T2 T3	
COMMUNICATION – UTILITY			
Electric transformer station, gas regulator station or telephone exchange			
WIRELESS TELECOMMUNICATION (cell tower)			

CHAPTER 27: ZONING ORDINANCE

ARTICLE 3 – OVERLAY DISTRICT REGULATIONS

DIVISION 4. ARABIA MOUNTAIN CONSERVATION OVERLAY DISTRICT

Sec. 3.4.5. Principal uses and principal structures.

- A. The principal uses of land and structures which are allowed in the AMCOD are as is provided by the applicable underlying zoning district, except for those listed in B below, subject to the limitations and standards contained within this district. Additional permitted uses are as follows:
1. Recreation, passive and Nature preserve.
 2. Dog Parks.
 3. Bed and Breakfast homes.
 4. Outdoor Concert halls.
 5. Urban Gardens.
- B. Prohibited uses. The following principal uses of land and structures shall be prohibited within the AMCOD:
1. Sexually-oriented businesses.
 2. Drive-in Theater.
 3. Fairground or Amusement Park.
 4. Swimming pools as part of a commercial Recreation, Outdoor use or Recreation club; but not including swimming pools incidental to Open space, clubhouse or pool amenity.
 5. Coliseum or stadium, except for outdoor Concert Halls.
 6. Nightclub or late night establishment.
 7. Outdoor storage, mini-warehouses, and storage buildings.
 8. Pawn shops.
 9. Mortuary or Crematorium.
 10. Alcohol Outlets.
 11. Salvage yards and junk yards.
 12. Motel or Extended Stay Motel.
 13. Shelter for homeless persons.
 14. Transitional housing facility.
 15. Fuel Dealers, Fuel Pumps and Accessory Fuel Pumps.
 16. Automobile and truck rental and leasing, Automobile brokerage, Automobile mall, Automobile recovery and storage, Automobile rental and leasing, Automobile repair and maintenance, major, Automobile repair and maintenance, minor, Automobile sales, Automobile service station, Automobile upholstery shop, Automobile wash/wax service, Recreational vehicle, ~~boat~~ and trailer sales and

service, Freight service, Transportation equipment and storage or maintenance (vehicle), and Vehicle storage yard. [TMOD-22-001]

17. Commercial parking garage/structure; Commercial parking lots.
18. Convenience store.
19. Drive-through facilities.
20. Personal service establishments.
21. Check cashing facility.
22. Heavy equipment storage.
23. Truck stops.
24. Warehouses.
25. Solid waste disposal, Private industry solid waste disposal facility.
26. Bus station or terminal.
27. Ambulance service facility, Private ambulance service, Dispatch office.

(Ord. No. 2019-02-001, § 1, 2-11-2019)

Sec. 3.4.7. Lot coverage.

Except as provided in Sub-Section 3.4.9.A., *Conservation communities*, lot coverage within the AMCOD shall not exceed 25 percent of net lot area. *Net lot area refers to the total area intended to be subdivided as shown on a city approved site plan submitted for a land disturbance permit or preliminary plat, exclusive of the area intended to be dedicated for street or utility rights of way or easements, see definition of net lot area (lot area, net) in Article 9, Definitions.*

(Ord. No. 2019-02-001, § 1, 2-11-2019)

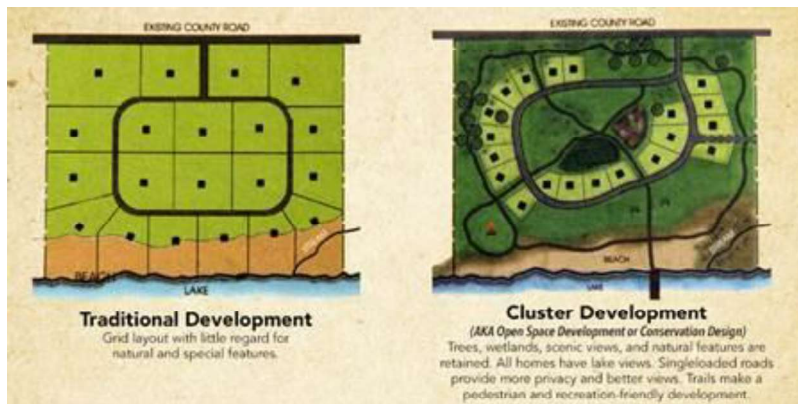
Sec. 3.4.8. Clearing and grading of lots.

No lot *as shown on a city approved site plan submitted for a land disturbance permit or preliminary subdivision plat shall be cleared and graded to an extent exceeding 35 percent of the net lot area before subdivision. This does not apply to individual single-family lots as shown on a city approved final subdivision plat, see Sub-Section. 3.4.9.A, Conservation communities. Said limitation is intended to permit 25 percent lot coverage as allowed in section 3.4.7 above, and to permit appropriate slopes from the remaining natural land contours to the finished site grades.*

(Ord. No. 2019-02-001, § 1, 2-11-2019)

Sec. 3.4.9. Development standards.

There shall be no impervious surfaces with in the 75 foot stream buffer. All dwelling units shall be provided convenient access to all green space throughout the development via pedestrian paths or trails.



A. *Conservation Communities (residential ~~subdivisions~~).*

Maximum density: Eight dwelling units to the acre of total land area excluding undevelopable areas listed below:

1. Streams and stream buffers.
2. Wetlands.
3. Rock outcroppings.
4. Slopes steeper than 1:2 slope.
5. Sites of archaeological significance.
6. Floodplains.
7. Areas intended to be dedication for right of way.

Minimum lot width: 70 feet as measured from the front building setback line; except for a lot on a cul-de-sac, which shall have a measurement of 35 feet

Minimum lot area: 7,500 square feet, except that each lot on the periphery of the development is at least 10,000 square feet.

Minimum side-yard setback: Ten feet.

Maximum single-family dwelling lot coverage: 50 percent of each individual single family residential lot in a conservation community as shown on an approved subdivision plat.

Greenspace: A minimum of 30 percent of the total land area shown on an approved preliminary subdivision plat must be designated greenspace. A minimum of 65 percent of the greenspace should be in a contiguous tract.

Green space may consist of:

1. Natural undisturbed areas.
2. Passive recreational areas.
3. Trails and Green ways.
4. Bikeways and paths.
5. Mature wooded areas.

Green spaces shall be preserve and maintained by one of the following:

1. Establishment of a mandatory home owner's association (HOA) to own and maintain the common green space.
2. Dedication of legally described and platted "greenspace" to a land trust.

Minimum building setback adjacent to public or private street(s):

- From thoroughfares, arterials and collectors: 30 feet.
- Local streets: 20 feet.

B. *Road Specifications.* All roads shall be built in accordance with Chapter 14. In the event of a conflict, the provisions of this section shall control. The design of the streets must be designed as noted below with the approval of the City Engineer:

1. Minimal amount of cul-de-sac streets by providing more than one entrance to the to the development and interconnect streets as much as possible.
2. Cul-de-sac streets must minimize the amount of impervious surface by limiting the internal radius to 35 feet and the width of the paved lane to 16 feet. Use grass and vegetation for the inner circle of turn-arounds, rather than paving the whole area. Declare the HOA responsible for the maintenance of the grassy area in the neighborhood bylaws.
3. Omit curbs where possible.
4. As an alternative to curbs and gutters, allow run off from roofs and pavements to pass immediately through grass swales or infiltration basins. Use plant materials that will absorb rainwater and act as a natural filter to oil and pollution.
5. Provide marked, paved paths for non-vehicular traffic within the development and connecting neighboring residential and commercial areas.

C. *Buffer Requirements.* An exterior boundary buffer is required (per community/subdivision). The land area designated to the exterior buffer may be used as part of the required greenspace. The buffer area shall not be included as part of any platted residential lot within the community/subdivision.

Lots less than 10,000 sq. ft.	25 ft.
Lots between 10,000—15,000 sq. ft.	30 ft.
Lots greater than 15,000 sq. ft.	50 ft.

D. *Trails.* Trails maybe constructed with in the buffer. The maximum width is eight feet and must be located within the first 25 percent of the buffer furthest from the exterior boundary line.

(Ord. No. 2019-02-001, § 1, 2-11-2019)

Sec. 3.4.13. Recording of conservation easements.

The director of planning shall record, after approval by the city attorney and the city council, conservation easements within the Arabia Mountain Natural ~~Resource Protection~~ Conservation Overlay District which are made in favor of City of Stonecrest, Georgia.

(Ord. No. 2019-02-001, § 1, 2-11-2019) [TMOD-22-001]

CHAPTER 27: ZONING ORDINANCE

ARTICLE 3 – OVERLAY DISTRICT REGULATIONS

DIVISION 5. STONECREST AREA OVERLAY DISTRICT

Sec. 3.5.15.2. Cluster village mixed-use zone (Tier V).

- A. *Statement of purpose and intent.* The primary intent of Tier V is to encourage single-family detached residential developments with associated neighborhood commercial and office uses to serve the convenience needs of the local community in a village or cluster concept. This tier provides for the preservation of open space while allowing compatible development that complements the other Stonecrest Overlay District development categories. Tier V also seeks to preserve the rural and scenic beauty of Arabia Mountain Preserve while providing flexibility to allow for creativity in site design and development. The goal of Tier V is to minimize the environmental and visual impacts of new development on natural resources and historically and culturally significant sites and structures while encouraging residential and neighborhood commercial development in a well planned community.
- B. *Permitted principal uses and structures.* All properties in Tier V shall be governed by all of the underlying zoning district regulations and the requirements of this section. In addition, all properties in Tier V may be used for the following principal uses of land and structures:
 - 1. Adult day care facility.
 - 2. Bed and breakfast.
 - 3. Child day care facility.
 - 4. Assembly hall.
 - 5. Cultural facility.
 - 6. Detached single-family dwelling.
 - 7. Office uses.
 - 8. Personal care facility.
 - 9. Place of worship.
 - 10. Retail, excluding drive-through facilities, automobile service stations, commercial amusements, convenience store, liquor stores, package store, and video arcades, pool halls, and Small Box Discount Stores.
 - 11. Office/medical.
 - 12. Personal services establishment.
- C. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in Tier V: Cluster Village Mixed-Use Zone
 - 1. Uses and structures which are customarily incidental and subordinate to the permitted principal uses and structures in this district.
 - 2. Open space, clubhouse or pool amenity area.
- D. *Prohibited uses.* The following principal uses of land and structures are prohibited in Tier V: Cluster Village Mixed-Use Zone:
 - 1. Kennels.

-
2. Junkyard.
 3. Tire retreading and recapping.
 4. Sexually oriented businesses.
 5. Go-cart concession.
 6. Outdoor storage.
 7. Automobile repair, major.
 8. Hotel/motel.
 9. Automobile sales.
 10. Temporary outdoor sales.
 11. Pawn shops.
 12. Liquor stores.
 13. Nightclubs.
 14. Late-night establishments.
 15. ~~Car~~ Automobile wash, self service.
 16. Self-storage.
 17. Funeral home.
 18. Mortuary.
 19. Crematorium.
 20. Farm equipment and supplies sales establishment.
 21. Multifamily dwelling unit.
- E. *Lot width, lot area and setbacks.*
1. All single-family detached residential dwellings located on Klondike Road, Plunkett Road or Rockland Road must have a minimum of 100 feet of frontage as measured along the public street frontage.
 - a. *Minimum lot area.* 15,000 square feet.
 - b. *Minimum setback requirements.*
 - i. *Front yard.* 35 feet.
 - ii. *Side yard.* 35 feet.
 - iii. *Rear yard.* 40 feet.
 - iv. *Interior side yard.* Ten feet.
 2. All single-family detached residential lots which are located on new roadways must have a minimum of 50 feet of frontage as measured along the public street frontage.
 - a. *Minimum lot area.* 5,000 square feet.
 - b. *Minimum setback requirements.*
 - i. *Front yard.* Minimum of ten feet and a maximum of 25 feet.
 - ii. *Side yard.* 15 feet.

- iii. *Rear yard.* 20 feet.
 - iv. *Interior side yard.* Five feet.
3. Reserved.
4. Office and commercial uses may not be located along Klondike or Rockland Road. Any uses otherwise authorized in Tier V shall be clustered together in a "village" or "hamlet" setting and must include convenient access to neighboring residential communities in a manner that preserves the open space on the lot. Such uses must be developed in a manner that also preserves the rural and scenic nature of Tier V and is compatible with the natural design and forestation of the Arabia Mountain Preserve. Such uses must be developed in a manner that minimizes the environmental and visual impact of new development on the existing natural landscape and the historically and culturally significant sites and structures. To the extent possible, developments must be constructed in a manner that preserves the bucolic nature and farming community appearance of Tier V.
- a. Office and commercial uses must be a maximum of 2,500 square feet per tenant space.
 - b. Single-use structures must be a maximum of 10,000 square feet.
 - c. Lot width and lot area. Office and commercial lots must be a minimum of 20,000 square feet.
- F. *Height of buildings and structures.* No building or structure may exceed 35 feet in height or two stories whichever is less.
- G. *Required parking.* The minimum number of required parking spaces must be as provided in the underlying zoning district regulations except as follows:
- 1. Residential, single-family detached: Minimum of two spaces.
 - 2. Retail uses, personal service uses, and other commercial and general business uses, including food stores: Minimum of four spaces per 1,000 square feet of gross floor area.
 - 3. Office and clinic uses: Minimum of three spaces per 1,000 square feet of gross floor area.
 - 4. Parking space area requirements must comply with the provisions of section 6.1.3.
- H. *Sidewalks.* A landscape strip must be provided between the curb and the pedestrian travel lane in compliance with land development standards. Sidewalks must be provided along the right-of-way of all public streets.
- (Ord. of 8-2-2017, § 1(3.5.15.2); Ord. No. 2019-11-001, § 1, 11-25-2019) [TMOD-19-006]

CHAPTER 27: ZONING ORDINANCE

ARTICLE 3 – OVERLAY DISTRICT REGULATIONS

DIVISION 33. INTERSTATE 20 CORRIDOR COMPATIBLE USE OVERLAY DISTRICT

Sec. 3.33.5. Principal uses and structures.

The principal uses of land and structures which are allowed in the I-20 Corridor Overlay District are as provided by the applicable zoning district, subject to the limitations and standards contained within this division. All properties zoned C-1 (Local Commercial) District, C-2 (General Commercial) District, O-I (Office-Institutional) District, O-D (Office-Distribution) District, M (Industrial) and any RM (Multifamily Residential) District shall be used in accordance with the underlying zoning district and/or for the following principal uses of land and structures in mixed use developments subject to the standards and limitations contained within this division.

- A. Animal hospital, veterinary clinic, pet supply store, animal grooming shop, and boarding and breeding kennel as an interior accessory use.
- B. Art gallery and art supply store.
- C. Automobile services as follows:
 - 1. Minor automobile repair and maintenance, subject to the requirements of section 4.2.14.
 - 2. ~~Retail~~ Automobile parts and tire stores.
- D. Bank, credit union and other similar financial institution.
- E. Business service establishment.
- F. Child daycare center and kindergarten.
- G. Communications uses as follows:
 - 1. Radio and television broadcasting station.
 - 2. ~~Telephone business office.~~
- H. Community facilities as follows:
 - 1. Cultural facilities.
 - 2. Noncommercial club or lodge.
 - 3. ~~Utility structure necessary for the transmission or distribution of service.~~ [TMOD-22-001]
- I. Dwellings including apartments, condominiums, and multifamily units. Mixed-use developments may include any combination above plus retail or office uses, subject to the requirements of the I-20 Overlay District regulations.
- J. Educational uses as follows:
 - 1. Vocational schools.
 - 2. Private ~~schools~~, elementary, middle or high ~~school~~.
 - 3. ~~Public school, elementary, middle or high~~
 - 3.4. Specialized non-degree schools to include ballet, music, martial arts, etc.

ARTICLE 4. USE REGULATIONS

- K. Movie theater, bowling alley, and other recreational facilities where such activities are wholly enclosed within a building. Nightclubs are permitted only in Tier 1 (maximum 10,000 square feet in floor area), subject to approval of the planning and development director and business license requirements.
- L. Office uses, ~~including the following and similar service, business and professional office uses as follows:~~
 - ~~1. Accounting, auditing and bookkeeping office.~~
 - ~~2. Engineering and architectural office.~~
 - ~~3. Building and construction contractor.~~
 - ~~4. Financial services office.~~
 - ~~5. Insurance office.~~
 - ~~6. Legal office.~~
 - ~~7. Medical office.~~
 - ~~8. Real estate office.~~
 - ~~9. Wholesale sales office.~~
- M. Place of worship.
- N. Restaurants.
- O. Retail sales ~~as follows:~~
 - ~~1. Apparel and accessories store.~~
 - ~~2. Book, greeting card, and stationery store.~~
 - ~~3. Camera and photographic supply store.~~
 - ~~4. Computer and computer software store.~~
 - ~~5. Convenience store.~~
 - ~~6. Farm and garden supply store.~~
 - ~~7. Florist.~~
 - ~~8. Food stores including bakeries.~~
 - ~~9. Furniture, home furnishings and equipment store.~~
 - ~~10. General merchandise store.~~
 - ~~11. Gift, novelty, and souvenir store.~~
 - ~~12. Hardware store.~~
 - ~~13. Hobby, toy and game store.~~
 - ~~14. Jewelry store.~~
 - ~~15. Music and musical equipment store.~~
 - ~~16. News dealers and newsstand.~~
 - ~~17. Office supplies and equipment store.~~
 - ~~18. Quick copy printing store.~~

~~19. Radio, television and consumer electronics store.~~

~~20. Specialty store.~~

~~21. Sporting goods and bicycle store.~~

~~22. Variety store.~~

~~23. Videotape sales and rental store.~~

P. Retail building supplies as follows:

1. Electrical supply store.
2. Hardware and other building materials establishments.
3. Paint, glass and wallpaper store.

Q. Services, medical and health as follows:

1. Health service clinic.
2. Medical and dental laboratories.
3. Offices of health service practitioners.
4. Pharmacy and drugstore.
5. Private ambulance and emergency medical services.

R. Services, personal, as follows:

1. Barber shop, beauty shop, and similar personal service establishments.
2. Laundry and dry-cleaning store.
3. Funeral home.
4. Linen and diaper service, garment pressing, alteration and repair.
5. Photographic studios.

S. Services, repair, ~~as follows:~~

~~1. Home appliance repair and service.~~

~~2. Jewelry repair service.~~

~~3. Radio, television and similar home appliance repair service.~~

~~4. Furniture upholstery and repair shop.~~

~~5. Shoe repair store.~~

T. Shopping center.

U. Taxi stand and taxi dispatching office.

V. Tennis center, club and facilities.

W. Fitness center and health center.

X. Hotel.

(Ord. of 8-2-2017, § 1(3.33.5))

Sec. 3.33.6. Prohibited uses.

- A. The following principal uses of land and structures shall be prohibited within the I-20 Corridor Compatible Use Overlay District:
1. Boarding and breeding kennels as a primary use.
 2. Storage yard for damaged automobiles or confiscated automobiles.
 3. Tire retreading and recapping.
 4. Sexually oriented businesses.
 5. Reserved.
 6. Go-cart concession.
 7. Outdoor equipment and materials storage.
 8. Heavy repair shop and trade shop.
 9. Extended stay motels.
 10. Used cars sales as a primary use.
 11. Temporary and/or seasonal outdoor sales.
 12. Title and pawn shops.
 13. Liquor stores.
 14. Night clubs excluded in Tiers 2 and 3.
 15. Salvage yards/junkyards.
 16. ~~Automobile, wash/Wax Self-service car wash and detailing.~~
 17. Self-storage.
 18. Small Box Discount Stores

(Ord. of 8-2-2017, § 1(3.33.6)), [TMOD-19-005]

CHAPTER 27: ZONING ORDINANCE

ARTICLE 4 – USE REGULATIONS

DIVISION 1. OVERVIEW OF USE CATEGORIES AND USE TABLE

Sec. 4.1.3. Use table.

Table 4.1 indicates the permitted uses within the base zoning districts. Even though a use is listed as an allowable use within a particular base zoning district, additional use restrictions may apply based on the applicable overlay zoning district requirements specified in article 3 of this chapter, overlay districts.

- A. The uses listed in Table 4.1 shall be permitted only within the zoning districts identified, and no use shall be established and no structure associated with such use shall be erected, structurally altered or enlarged unless the use is permitted as:

ARTICLE 4. USE REGULATIONS

1. A permitted use (P);
 2. A special use (SP) subject to the special land use permit application procedures specified in article 7 of this chapter;
 3. An administratively approved use (SA) subject to the special administrative permit procedures specified in article 7 of this chapter;
 4. An accessory use (PA) as regulated by this article 4 of this chapter. Table 4.1 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
 5. Uses lawfully established prior to the effective date of this zoning ordinance.
- B. Any use not listed in Table 4.1, below, or interpreted to be allowed by the director of planning pursuant to section 4.1.2 is prohibited. Any applicant denied a permit to allow a use of property in a zoning district other than as provided in this section may file an appeal before the zoning board of appeals as provided in article 7 of this chapter.
- C. If there is a conflict between Table 4.1 and the text of this chapter, the text shall prevail.
- D. Prohibited Uses. The following uses are considered contrary to the vision and intent of the City's Comprehensive Plan, and would be detrimental to the city's continuing effort to adhere to that vision, and are prohibited city wide.

Distillation of bones or glue manufacture

Dry Cleaning Plant

Dye Works

Explosive Manufacture or storage

Fat rendering or fertilizer manufacture

Fuel Manufacture

Incineration of garbage or refuse

Landfills

Paper or Pulp Manufacture

Petroleum or inflammable liquids production/refining

Radioactive materials storage and processing

Rubber or plastics manufacture

~~Disposal or storage of Solid waste disposal of~~ hazardous/toxic ~~material~~ ~~solid waste~~, including the application of thermal treatment technology

Smelting copper, iron, zinc or ore

Sugar refineries

Tire retreading or recapping

.

Table 4.1. Use Table

	KEY: P - Permitted use Pa - Permitted as an accessory use									SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)																
Use	R E	RL G	R- 10 0	R- 8 5	R- 7 5	R- 6 0	RS M	MR -1	MR -2	HR- 1,2, 3	MH P	RN C	OI T	OI S	N 1	C- 2	C- D	O D	M -2	M -1	MU -2	MU -3	MU -4,5	See Section 4.2		
AGRICULTURAL																										
Agriculture and Forestry																										
Commercial greenhouse or plant nursery	P																									✓
Sawmill, Temporary or portable sawmill	P																			P	P					✓
Animal Oriented Agriculture																										
RESIDENTIAL																										
Dwellings																										
Dwelling, High-rise apartment										P			S P											P	P	
Accessory uses or structures	P a	Pa	Pa	P a	P a	P a	Pa	Pa	Pa	Pa	Pa	Pa	P a	Pa	Pa	P a	P a	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	✓
Housing and Lodging																										
Bed and breakfast establishment	S P	SP	SP				SP	SP	SP	SP			P	P		P	P						P	P	P	✓

The Code of the City of Stonecrest, Georgia, Chapter 27 ZONING ORDINANCE
 ARTICLE 6. PARKING

Item VIII. e.

-Bed and breakfast, home stay	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP		SP										✓		
Child-care home, 5 or less	S P	SP	SP	S P	S P	S P	SP					SP	P	P	P	P			SP	SP	SP	SP	✓	
Child care facility, 6 or more													P	SP	SP	P	P		SP	SP	SP	SP	✓	
Hotel/motel, Extended stay hotel/motel												S P			S P	S P			SP	SP	SP	SP	✓	
INSTITUTIONAL/PUBLIC																								
Community Facilities																								
Place of worship	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP		SP	P	P	P	P	P	P	P	P	P	✓		
Recreation, Outdoor															P	P	P					✓		
Swimming Pools, commercial	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP		SP	P	P		P	P	P	P		Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community	P a	Pa	Pa	P a	P a	P a	Pa	Pa	Pa	Pa		Pa	P	P		P	P	P	P		Pa	Pa	Pa	✓
Education																								
Colleges, universities, research and													P	P		P	P	P	P	P	P		✓	

Use	R E	RL G	R- 10 0	R- 8 5	R- 7 5	R- 6 0	RS M	MR -1	MR -2	HR- 1,2, 3	MH P	RN C	OI	OI T	N S	C - 1	C- 2	O D	M -2	M -1	MU -2	MU -3	MU -4,5	See Sectio n 4.2
Recreation, Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)															P	P	P	P	P	P	P	P	P	
Recreation, Outdoor recreation (miniature golf, batting cages, tennis, Go- cart and other outdoor activities)	S P																P	P	S P					✓
Special events facility														P	P	P	P	P	P					
Retail																								
Apparel or accessories store															P	P	P				P	P	P	P
Book, greeting															P	P	P	P			P	P	P	P

The Code of the City of Stonecrest, Georgia, Chapter 27 ZONING ORDINANCE
 ARTICLE 6. PARKING

Item VIII. e.

card, or stationery store																				
Camera or photography										P	P	P	P		P	P	P	P		
Computer or computer software store										P	P	P	P		P	P	P	P		
Convenience store (see alcohol outlet or fuel pumps accessory)										P	P	P	P	P	P	P	P	P	✓	
Farm or garden supply store	P									P	P	P	P	P	P	P				
Florist										P	P	P	P		P	P	P	P		
News dealer or news store										P	P	P	P	P	P	P	P	P		
Office supplies and equipment store											P	P	P	P	P	P	P	P		
Pawn shop, title loan												P	P	P					✓	
Pet supply store											P	P	P	P	P	P				

Use	R E	RL G	R- 10 0	R- 8 5	R- 7 5	R- 6 0	RS M	MR -1	MR -2	HR- 1,2, 3	MH P	RN C	OI T	OI S	N	C- 1	C- 2	O D	MM -2	MU -1	MU -2	MU -3	MU -4,5	See Sectio n 4.2	
-Gift, novelty, or souvenir store														p a	p	p	p	p			p	p	p	p	
-Gold buying, precious metals																	p a	p	p						
-Grocery stores (with the exception of Small Box Discount Stores, see alcohol outlet)								Pa	Pa	Pa						p	p	p	p		p	p	p	p	
-Hardware store or other building materials store																p	p	p	p	p	p	p	p	p	
-Hobby, toy or game store																p	p	p	p		p	p	p	p	
-Jewelry store																p	p	p	p		p	p	p	p	
-Music or music equipment store (retail)																p	p	p	p		p	p	p	p	
News dealer or news store														p	p	p	p	p	p	p	p	p	p	p	
Office supplies and equipment store																p	p	p	p	p	p	p	p	p	
-Pet supply store																p	p	p	p	p	p	p			

-Pharmacy or drug store (see alcohol outlet)										Pa	Pa	Pa				Pa	p	Pa	p	p	p	p					p	p	p	p			
-Radio, television or consumer electronics store																				p	p	p						p	p	p	p		
-Specialty store																					p	p	p					p	p	p	p		
-Sporting goods or bicycle sale																					p	p	p					p	p	p	p		
-Thrift, secondhand, antique store																					p	p		p									
Trade shops: electrical, plumbing, heating/cooling; roofing/siding, with no outside storage																	P	P		P	P	P		P	P								

Use	RE	RL	R-10	R-8	R-7	R-6	RS	MR-1	MR-2	HR-1,2,3	MH-P	RN-C	OI-T	OI-S	N-1	C-1	C-2	O-D	M-2	M-1	MU-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2							
-Variety store (with the exception of Small Box																																	

The Code of the City of Stonecrest, Georgia, Chapter 27 ZONING ORDINANCE
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Item VIII. e.

other similar financial institutions																						
Barber shop/beauty salon or similar establishments							Pa	Pa	Pa				P	P	P	P	P	P	P	P	P	
Check cashing establishment, accessory															P	P	P	P	P	P	P	✓
Check cashing establishment, primary															P	P						✓
Child day care center (kindergarten) -7 or more							P	P	P	P			P	P	P	P	P	P	P	P	P	✓
Fitness Center	Pa	Pa	Pa	P	P	P	Pa	Pa	Pa	Pa	Pa		P	P	P	P	P	P	P	P	P	

Use	R E	RL G	R- 10 0	R- 8 5	R- 7 5	R- 6 0	RS M	MR -1	MR -2	HR- 1,2, 3	MH P	RN C	O I	OI T	N S	C- 1	C- 2	O D	M -2	M -1	MU -2	MU -3	MU -4,5	See Section 4.2
Kennel, breeding or boarding	S	P														Pa	P	P	P	P				✓
Mini- warehouse climate control/storage building															SP	P	P	P	P	P				✓
Photoengraving , typesetting, electrotyping																		P	P	P	P	P		
Photographic studios																		P	P	P	P	P	P	
Plumbing, HV/AC equipment establishments with no outdoor storage																		P	P	P	P			
Printing or Publishing or printing establishments																		P	P	P	P			
Quick copy printing store																		P	P	P	P	P	P	
Services, Medical and Health																								
Clinic, Health services clinic																		P	P	P	P	P	P	
Home healthcare service																		P	P	P	P	P	P	

Services, Repair																																									
Furniture upholstery or repair; home appliance repair or service																			P	P	P	P																			
Personal service, repair (watch, shoes, jewelry)									Pa	Pa	Pa									P	P	P	P	P		S	A											P	P	P	P
Service area, outdoor																																									
INDUSTRIAL																																									
Alcohol or alcoholic beverage manufacturing																																								P	P
Automobile/truck manufacturing																																								P	
Brewery, Large Scale																																								P	
Brick, clay, tile, or concrete products terra cotta manufacturing																																								P	

Use	R	RL	R-10	R-8	R-7	R-6	RS	MR-1	MR-2	HR-1,2,3	MH	RN	O	OI	N	C-1	C-2	O	M	M	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2
Cement, lime, gypsum, or plaster of																					P				

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Paris manufacturin g																					
-Compressed gas fuel station											S p		P P								
-Chemical manufacture, organic or inorganic										SP				P							
Crematorium s										SP	S p	SP	P P								
Distillery, Large-scale													P								
-Fuel dealers, or wholesalers													P P								
Ice manufacturin g plant													P P								
-Leather manufacturin g or processing													P								
-Light malt beverage manufacturer (See also Brewpub)											Pa a	P a	P P	Pa Pa	Pa Pa	Pa Pa	Pa Pa				
-Light manufacturin g Manufacturin g, light													P P								

Use	R E	RL G	R- 10 0	R- 8 5	R- 7 5	R- 6 0	RS M	MR -1	MR -2	HR- 1,2, 3	MH P	RN C	O I	O I	N S	C - 1	C - 2	O D	M - 2	M - 1	MU - 2	MU - 3	MU - 4,5	See Section 4.2
Repair/manufacture of clocks, watches, toys, electrical appliances, electronic																			P	P				
Research, experimental or testing laboratories and testing facilities																			P	P				
Salvage yard (Junkyard)																				P				✓
Solid waste: general disposal, private industry disposal, handling facility																				P				✓
Storage yard for damaged or confiscated vehicles																				P				✓
Transportation equipment manufacture																				P				
Truck stop or terminal																				P	P			

Use	R E	RL G	R- 10 0	R- 8 5	R- 7 5	R- 6 0	RS M	MR -1	MR -2	HR- 1,2, 3	MH P	RN C	OI T	OI S	N 1	C- 2	C- D	O M	M -2	MU -1	MU -2	MU -3	MU -4,5	See Section 4.2	
SOLAR ENERGY SYSTEMS																									
Integrated SES	P a	Pa	Pa	P a	P a	P a	Pa	Pa	Pa	Pa	Pa	Pa	P a	Pa	P a	P a	P a	Pa	P a	Pa	Pa	Pa	Pa	Pa	✓
Rooftop SES	P a	SA	SA	S A	S A	S A	SA	SA	SA	SA	SA	Pa	S A	S A	S A	S A	SA	P a	Pa	SA	SA	SA	SA	SA	✓
Ground Mounted SES, Small Scale	P a	SP	SP	S P	S P	S P	SP	SP	SP	SP	SP	SP	P a	Pa	P a	P a	P a	Pa	P a	P a	SP	SP	SP	SP	✓
Ground Mounted SES, Intermediate Scale	S P	SP	SP									SP							P P						✓
Ground Mounted SES, Large Scale	S P	SP										SP							S P	SP					✓
COMMUNICATION—UTILITY																									
Electric transformer station, gas regulator station or telephone exchange Essential Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
WIRELESS TELECOMMUNICATION (cell tower)																									
New support structure from 51 feet to 150 feet Medium and High density	S P	SP	SP	S P	S P	S P	SP								SP	SP									✓

residential districts																																		
New support structure from 50 51 feet up to 199 feet in non-residential districts													S A	SP	SP	S A	S A	S A	S A	S A														✓

(Ord. of 8-2-2017, § 1(4.1.3); Ord. No. 2018-09-01, § 00, 9-17-2018; Ord. No. 2019-06-01, § (Exh. A), 6-10-2019) [TMOD-19-004, TMOD-19-005, TMOD-19-006, TMOD-21-001, TMDO-21-002, TMOD-21-003, TMOD-21-010, TMOD-21-011,

CHAPTER 27: ZONING ORDINANCE

ARTICLE 4 – USE REGULATIONS

DIVISION 2. SUPPLEMENTAL USE REGULATIONS

Sec. 4.2.29. Heavy industrial uses.

In addition to the submission requirements of article 7 of this chapter, any application for a special land use permit (SLUP) or a rezoning related to a heavy industrial use shall provide the following information as applicable:

- A. Submit within the letter of application the following details:
 1. Specific operations to be performed.
 2. Hours of operation.
 3. Whether operations will be indoors or outdoors.
 4. How long materials will be stored on the property.
 5. Whether any hazardous wastes will be involved in the operation, including an explanation of how safety measures will ensure that there is no air or water contamination and how the operators will safely dispose of such hazardous materials.
 6. A description of any solid wastes handled, produced, or disposed of, including whether the operations will require a solid waste handling permit.
 7. How many employees there will be.
 8. Whether the operation will be open to the public.
 9. What types of vehicles will be delivering materials to the property; and how many and how often, what thoroughfares or major route plan the trucks will take to get to and from the site to minimize any impact on residential area, and whether trucks will be covered to minimize dust/odor impacts on adjacent roadways used to get to the site.
 10. Whether the proposed use requires the submittal of a development of regional impact (DRI).

- B. Copies of any required state and/or federal agency applications, requirements, environmental assessment reports, or related data; or, if none have been submitted, an indication as to whether such documentation is required.
- C. Data from reputable industry sources on current industry standards regarding the proposed land use and how the proposed operation will comply with industry standards to ensure that surrounding properties are not adversely impacted.
- D. For any of the following uses, certification by an environmental professional that the proposed operation will not have any adverse air or water quality impacts on surrounding properties:
 - 1. Any use requiring a solid waste handling permit.
 - 2. Any use which utilizes burning, melting, or degasification.
 - 3. Any use which involves the emissions of particulate matter.
 - 4. Any use which processes or stores hazardous materials.
 - 5. ~~Any landfill.~~
- E. Detailed information on proposed methods to minimize any adverse air/water quality impacts based on current industry standards.
- F. Detailed information on proposed methods to minimize any noise, odor, dust, and vibration on surrounding properties in light of current industry standards.
- G. Detailed information regarding how traffic impacts will be accommodated on the surrounding road network.
- H. Any data regarding any monthly, quarterly, or yearly required inspections by any state or federal agency to ensure compliance with any state or federal permits once use has been approved by City of Stonecrest.

(Ord. of 8-2-2017, § 1(4.2.29))

~~Sec. 4.2.49. Solid waste facility regulations.~~

- ~~A. The city council shall not approve any amendment to the zoning maps, the comprehensive land use map or any application for a special land use permit, or any development or building permit related to a landfill if such landfill is not in compliance with the applicable requirements of Georgia's Comprehensive Solid Waste Management Act, O.C.G.A. § 12-8-20 et seq., and as may hereafter be amended.~~
- ~~B. The city council shall not approve any amendment to the zoning maps, the comprehensive land use map or any application for a special land use permit related to a landfill unless the applicant obtains written verification from the Georgia Environmental Protection division of the Georgia Department of Natural Resources that the landfill complies with or is not yet required to comply with all the applicable requirements set forth in the Comprehensive Solid Waste Management Act.~~
- ~~C. As used in this section, the term "landfill" means a disposal facility, a materials recovery facility, a solid waste handling facility, a solid waste landfill, a private industry solid waste disposal facility, a solid waste handling facility, a solid waste thermal treatment technology facility, and a disposal facility for biomedical waste, hazardous and/or toxic materials including radioactive materials as all such terms are defined in O.C.G.A. § 12-8-22 and as may hereafter be amended.~~

~~(Ord. of 8-2-2017, § 1(4.2.49))~~

CHAPTER 27: ZONING ORDINANCE

ARTICLE 4 – USE REGULATIONS

DIVISION 3. TEMPORARY USE REGULATIONS

Sec. 4.3.5. Temporary outdoor sales or events.

Temporary outdoor sales or events may include temporary art shows, carnival rides, special outdoor social or religious event, entertainment, athletic events, rodeos, horseshows, and other events of community interest.

A. *Use regulations.* Temporary outdoor sales or events shall be governed by the following regulations:

1. Site conditions.

- a. Employees shall be uniformed and identified.
- b. Security or off-duty police officers shall be on-site during operating hours.
- c. Portable toilets or access to bathrooms shall be provided.
- d. Approval from the property owner.
- e. Traffic Control Plan must be approved by the fire marshal’s office.

2. If the temporary outdoor event involves structures that require issuance of a building permit, a site plan of the event shall be included with the building permit application. The site plan submittal required by article 7 of this chapter shall indicate compliance with all zoning ordinance requirements.

B. *Lot and parcel restrictions.* Temporary outdoor event activities shall be set back at least 100 feet from any residential district or use.

C. *Temporary sites for worship.* The establishment of sites and tents for temporary worship conducted on a site not designated as a place of worship requires the grant of a special administrative permit by the director of planning.

(Ord. of 8-2-2017, § 1(4.3.5))

CHAPTER 27: ZONING ORDINANCE

ARTICLE 6 – PARKING

DIVISION 3. TEMPORARY USE REGULATIONS

Table 6.2. Off-street Parking Ratios

Minimum and Maximum Parking Spaces		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
<i>Residential</i>		
Child earing care institution, group	Two spaces.	Four spaces.
Child earing care institution, community	One-half space for each employee and resident.	Three-quarters space for each employee and resident.
<i>Institutional</i>		
<i>Recreational</i>		
<i>Commercial</i>		
Bed and breakfast inn establishment	One space for the owner-operator plus one per guest bedroom.	Two spaces for the owner-operator plus one per guest bedroom.
<i>Industrial</i>		

(Ord. of 8-2-2017, § 1(6.1.4)) [TMOD-22-001]

1 CHAPTER 27: ZONING ORDINANCE

2 ARTICLE 7 – ADMINISTRATION

3 DIVISION 3. ZONING AND COMPREHENSIVE PLAN AMENDMENTS AND
4 PROCEDURES

5 **Sec. 7.3.7. Action by the planning commission.**

6 The secretary of the planning commission shall provide the members of the planning commission complete
7 information on each proposed application requiring a public hearing by the planning commission, including a copy
8 of the application and all supporting materials. The planning commission, after conducting a public hearing with
9 prior public notice as required by this article, shall consider the proposal and vote on its recommendation to the
10 city council. ~~Any recommendation~~ ~~Deferral of an application~~ by the planning commission shall not be binding on
11 the city council. The planning commission may recommend approval of the application, ~~recommend~~ approval to a
12 less intense zoning district or land use category than that requested by the applicant, ~~recommend~~ approval of the
13 application with conditions, ~~recommend~~ denial of the application, ~~recommend~~ deferral of the application, or, upon
14 request of the applicant, ~~recommend~~ withdrawal of the application without prejudice. In its recommendation of
15 any application, the planning commission may recommend the imposition of conditions in accordance with section
16 7.3.9. All findings and recommendations of the planning commission relating to amendments to the official zoning
17 map shall be made based on each of the standards and factors contained in section 7.3.5. All recommendations of
18 the planning commission relating to amendments to the comprehensive plan maps shall be made based on each of
19 the standards and factors contained in section 7.3.4. The secretary of the planning commission shall make and
20 maintain a written record of the planning commission's consideration and recommendations, which shall be public
21 record.

22 (Ord. of 8-2-2017, § 1(7.3.7)) [
23

24 CHAPTER 27: ZONING ORDINANCE

25 ARTICLE 7 – ADMINISTRATION

26 DIVISION 4. SPECIAL LAND USE PERMITS

27 **Sec. 7.4.7. Additional criteria for specified uses.**

28 In addition to the criteria contained in section 7.4.6 above for which each applicant for a special land use
29 permit is required to provide information, the following additional criteria shall apply to specific uses as specified
30 below. No application for a special land use permit for the uses specified below shall be granted by the city council
31 unless it is determined that, in addition to meeting the requirements contained within the zoning district in which
32 such property is located and the criteria contained in section 7.4.6 above, and complying with applicable
33 regulations in article 4 of this chapter, satisfactory provisions and arrangements have been made concerning each
34 of the following criteria:

- 35 A. *Telecommunications towers and antennas.* In determining whether to authorize a special land use
36 permit for a telecommunication tower or antenna, the city council shall comply with and apply the
37 requirements of section 4.2.57.
38 B. *Reserved.*

- 39 C. *Child daycare facility.* In determining whether to authorize a special land use permit for a child daycare
40 facility, the city council shall also consider each of the following criteria:
- 41 1. Whether there is adequate off-street parking for all staff members and for visitors to the
42 child daycare facility.
 - 43 2. Whether the proposed off-street parking areas and the proposed outdoor play areas can be
44 adequately screened from adjoining properties so as not to adversely impact any adjoining
45 land use.
 - 46 3. Whether there is an adequate and safe location for the dropping off and picking up of
47 children at the child daycare facility.
 - 48 4. Whether the character of the exterior of the proposed structure will be compatible with the
49 residential character of the buildings in the zoning district in which the child daycare facility
50 is proposed to be located, if proposed for a residential zoned district.

51 ~~D. —Biomedical waste disposal facilities, disposal facilities, landfills, county or city solid waste disposal~~
52 ~~facilities, county or city solid waste landfills, private industry solid waste disposal facilities, solid waste~~
53 ~~handling facilities, solid waste thermal treatment technology facilities, and disposal facilities for~~
54 ~~hazardous and/or toxic materials including radioactive materials.~~

55 ~~1. —In determining whether to authorize a special land use permit for a biomedical waste~~
56 ~~disposal facility, disposal facility, landfill, county or city solid waste disposal facility, county~~
57 ~~or city solid waste landfill, private industry solid waste disposal facility, solid waste handling~~
58 ~~facility, solid waste thermal treatment technology facility, or disposal facility for hazardous~~
59 ~~and/or toxic materials including radioactive materials, the city council shall also consider~~
60 ~~each of the following criteria:~~

61 ~~a. —Whether the proposed use does not pose any potential negative impact resulting from air~~
62 ~~pollution, degradation of soil and/or water quality, noise, odor, or other negative~~
63 ~~environmental effects.~~

64 ~~b. —Whether the proposed use will not have a significant deleterious effect on use of land and~~
65 ~~value of existing housing in adjacent and nearby neighborhoods.~~

66 ~~c. —Whether the proposed use will not create a negative traffic impact on any adjacent or~~
67 ~~nearby residential streets resulting from truck and other vehicular traffic associated with~~
68 ~~the facility.~~

69 ~~d. —Whether the proposed use does not represent an over concentration of such uses in the~~
70 ~~area.~~

71 (Ord. of 8-2-2017, § 1(7.4.7))

72 CHAPTER 27: ZONING ORDINANCE

73 ARTICLE 9 – DEFINITIONS

74 Sec. 9.1.3. Defined terms.

75 The following words, terms and phrases, when used in this article, shall have the meanings ascribed to
76 them in this section, except where the context clearly indicates a different meaning:

77 Automobile repair ~~and maintenance~~, major, means a business that services passenger vehicles, including
78 the dismantling and repair of engines, transmissions, carburetors, drive shafts, and similar major vehicle
79 parts, the provision of collision repair services including body frame straightening and body part
80 replacement, or the painting or repainting of passenger vehicles and motorcycles. Major automobile
81 repair establishments may also perform minor automobile repairs.

82 Automobile repair ~~and maintenance~~, minor, means a business that repairs, replaces, or services tires,
83 ignitions, hoses, spark plugs, and other minor vehicle parts as part of the regular upkeep of passenger
84 vehicles and motorcycles, and may perform regular maintenance such as brake repair and replacement,
85 lubrication, or replacement of small or incidental automobile parts. Minor automobile repair and
86 maintenance may also, as an accessory function, include automobile detailing, including the application
87 of paint protectors, the cleaning or polishing of a vehicles interior, exteriors, or engine, and the
88 installation of aftermarket parts and accessories such as tinting, alarms, sound systems, spoilers,
89 sunroofs or headlight covers. Minor automobile repair and maintenance does not include the
90 dismantling and repair of engines, transmissions, or drive shafts, the provision of collision repair services
91 including body frame straightening and body part replacement, or the painting or repainting of
92 passenger vehicles. Minor automobile repair does not include automobile car washes where vehicles are
93 washed and/or waxed either by hand or by mechanical equipment.

94 ~~Bank, credit unions or other similar financial institutions means any building, property or activity of
95 which the principal use or purpose is for federally insured depository purposes and including the
96 provision of financial services such as loans and automated teller machines, but does not include cash
97 advance, check cashing establishments, short-term loan, and pay day lending Bank means a facility for
98 the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission
99 of funds.~~

100 Bed and breakfast ~~establishment~~ means accessory use of a single-family detached dwelling by the
101 homeowner who resides in the dwelling, to provide sleeping accommodations to customers. Breakfast
102 may also be provided to the customers at no extra cost. For the purpose of this definition, the term
103 "customer" means a person who pays for the sleeping accommodations for fewer than 30 consecutive
104 days.

105 Brewpub means ~~any eating establishment which derives at least 50 percent of its total annual gross food
106 and beverage revenue from the sale of prepared meals and food and in which beer or malt beverages
107 are manufactured or brewed subject to the barrel production limits and regulations under state law. a
108 commercial business which conducts the retail sale of beer (malt beverages with alcohol content, as
109 defined by federal law) which is brewed on the premises in compliance with applicable state and federal
110 laws. Such establishments may also include restaurants as an accessory use. See also Light malt
111 beverage manufacturing.~~

112 Bus or rail station or terminal means a designated place where a bus or train temporarily stops to
113 embark or disembark passengers. A terminal is the location where the bus or train starts or ends its
114 scheduled route.

115 Coin Laundry means an establishment with coin-operated clothing washing machines and dryers for
116 public use.

117

118 Commercial entertainment means places of amusement or assembly including but not limited to motion
119 picture theaters or cinemas, live theater, comedy clubs, bowling alleys, dance halls, skating rinks, etc.
120 This definition does not include night clubs, party houses or brewpubs.

121 ~~Cottage development means Small detached dwelling units arranged on a single site whereby the~~
122 ~~dwelling units are arranged so that each unit faces a common open space.~~

123 Craft brewery (also known as micro-brewery) means a building or group of buildings where beer is
124 brewed, bottled, packaged, and distributed for wholesale and/or retail distribution, and that produces
125 small amounts of beer or malt beverage, less than 12,000 gallons in a calendar year. Much smaller than
126 large-scale corporate breweries, these businesses are typically independently owned. Such breweries
127 are generally characterized by their emphasis on quality, flavor and brewing technique. [TMOD-21-016]

128 Craft distillery (also known as micro-distillery) means a building or group of buildings where distilled
129 spirits are manufactured (distilled, rectified or blended), bottled, packaged, and distributed for
130 wholesale and/or retail distribution in small quantity, less than 12,000 gallons per calendar year and in
131 which such manufactured distilled spirits may be sold for consumption on the premises and
132 consumption off premises, subject to the limitations prescribed in O.C.G.A. § 3-5-24.2.

133 District, authorized zoning – a zoning district other than the base or underlying zoning district that is
134 called out in the provisions of an overlay zoning district to described what uses are permitted or
135 authorized to be developed within that overlay zoning district.

136 District, base zoning– see Underlying District

137 District, governing zoning – an underlying or authorized zoning district within an overlay zoning district
138 by which the design and dimensional standards of any existing or proposed development must adhere
139 to. Also used to determine site requirements on adjacent properties, such as buffers.

140 District, overlay zoning – a zoning district where certain additional requirements are superimposed upon
141 an underlying or base zoning district and where the requirements of the underlying or base district may
142 or may not be altered.

143 District, underlying zoning – Any zoning district that lies within or under the boundaries of an overlay
144 zoning district, also known as base zoning district.

145 District, Zoning – Any district delineated on the official zoning map under the terms and provisions of
146 this ordinance, or which may be created after the enactment of this ordinance for which regulations
147 governing the area, height, use of buildings, or use of land, and other regulations related to
148 development or maintenance of uses or structures are uniform.

149 ~~Dry cleaning plant means an establishment for dry cleaning or laundry where the operation, equipment~~
150 ~~and machinery is on-site.~~

151 Dwelling, cottage home means small detached dwelling units arranged on a single site whereby the
152 dwelling units are arranged so that each unit faces a common open space.

153 Essential services means the erection, construction, alteration, or maintenance by public utilities or City
154 departments of overhead, surface or underground gas, electrical steam, or water, distribution or
155 transmission systems, collection, communication, supply or disposal systems, including mains, drains,
156 sewers, pipes, conduits, tunnels, wires, cables, fire alarm boxes, police call boxes, traffic signals,
157 hydrants, poles, electrical substation, gas regulator stations and other similar equipment and accessories
158 in connection therewith, reasonably necessary for the furnishing of adequate service by such utility or
159 City department or for the public health, safety, or general welfare, shall be exempt from the
160 regulations of this code. The installation shall conform to Federal Communications Commission and
161 Federal Aviation Agency rules and regulations, and those of other authorities having jurisdiction.

162 Electric Vehicle (EV): An automotive-type vehicle for on-road use, such as passenger automobiles, buses,
163 trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, powered by an electric
164 motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other
165 source of electric current which is charged by being plugged into an electrical source. For the purpose of
166 this ordinance, off-road, self-propelled electric vehicles, such as industrial trucks, hoists, lifts, transports,
167 golf carts, airline ground support equipment, tractors, boats, and the like, are not included, an
168 automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans,
169 neighborhood electric vehicles, electric motorcycles, and the like, powered by an electric motor that
170 draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of
171 electric current which is charged by being plugged into an electrical source.

172 Electric Vehicle Supply Equipment (EVSE): The conductors, including the ungrounded, grounded, and
173 equipment grounding conductors, and the electric vehicle connectors, attachment plugs, and all other
174 fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy
175 between the premises wiring and the electric vehicle.

176 Electric Vehicle Supply Equipment (EVSE) infrastructure: The equipment, as defined by the National
177 Electrical Code, which is provided to support future electric vehicle charging. This shall include, but not
178 be limited to: the design load placed on electrical panels and service equipment to support the
179 additional electrical demand, the panel capacity to support additional feeder / branch circuits, the
180 installation of raceways, both underground and surface mounted, to support the electrical vehicle
181 supply equipment.

182

183 Plug-In Hybrid Electric Vehicle (PHEV): An automotive-type vehicle for on-road use, such as passenger
184 automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like,
185 powered by an electric motor that draws current from a rechargeable storage battery, fuel cell,

186 photovoltaic array, or other source of electric current which is charged by being plugged into an
187 electrical source, and having a second source of motive power such as gasoline or diesel.

188

189 General business office ~~means any building or part of a building in which one or more persons are~~
190 ~~employed in the management or direction of an agency, business or organization, but excludes such~~
191 ~~uses as retail sales, manufacturing, assembly or storage of goods, or assembly and amusement, see~~
192 Office, professional.

193 Government facilities means buildings or office space utilized for the provision of services by the City of
194 Stonecrest, DeKalb County, the State of Georgia, or the Federal Government including outdoor activities
195 and parking. Such uses include, but are not limited to, the municipal building, fire stations, police
196 stations, government offices, public parks and recreation related facilities and other similar uses

197 Group homes. See Child ~~aring~~ care institution, Personal care homes, Transitional housing facility.

198 Growler means a professionally sanitized reusable container not exceeding 64 ounces in volume used to
199 transport draft beer for off-premises consumption.

200 Growler Store means a retail store that sales growlers.

201 Heavy equipment repair, service or trade means a building or lot used for the repair, servicing, lease or
202 sale of heavy equipment.

203 ~~Home stay bed and breakfast residence means a single family dwelling in which is provided not more~~
204 ~~than two rooms for not more than four people for overnight rental and a morning meal to transient~~
205 ~~persons for compensation on a nightly basis by the occupant of said dwelling.~~

206 Industrial district means any parcel of land which is zoned for industrial use including property used for
207 light and heavy distribution, warehouses, assembly, manufacturing, quarrying, and truck terminals ~~and~~
208 ~~landfills~~. Such districts include M and M-2 districts.

209 Large-scale brewery means a building or group of buildings where beer is brewed, bottled, packaged,
210 and distributed for wholesale and/or retail distribution, and that produces more than 12,000 gallons in a
211 calendar year.

212 Large-scale distillery means a building or group of buildings where distilled spirits are manufactured
213 (distilled, rectified or blended), bottled, packaged, and distributed for wholesale and/or retail
214 distribution in large quantity, more than 12,000 gallons per calendar year.

215 Livestock sales pavilion means any place or establishment conducted or operated for compensation or
216 profit consisting of pens, or other enclosures, in which house horses, cattle, mules, burros, swine, sheep,
217 goats and poultry are temporarily received, held, assembled and/or slaughtered for either public or
218 private sale.

-
- 219 Lot area, net means the total area of a proposed subdivision on an approved subdivision plat dedicated
220 to individual lots, excluding any area dedicated to public or private street rights-of-way or utility
221 easements.
- 222 Microbrewery, see Craft Brewery.
- 223 Net lot area, see Lot area, net.
- 224 Office, building or construction means a temporary structure used as an office or storage for
225 construction operations and is located at the construction site.
- 226 Outdoor storage, commercial means the keeping, in an unenclosed area, of any goods, materials, or
227 merchandise associated for a daily, monthly or annual fee. This term does not include the parking of any
228 vehicles or outdoor display of merchandise.
- 229 Parking garage/structure, commercial means a covered or sheltered structure of one or more stories
230 designed, constructed and used for the parking of motor vehicles for profit.
- 231 Parking lot, commercial means any area designed for temporary storage of motor vehicles by the
232 motoring public in normal operating condition, for profit.
- 233 Parking lot means any area designed for temporary storage of motor vehicles by the motoring public in
234 normal operating condition, ~~whether for a fee or as a free service.~~
- 235 Radio or television broadcasting studio means an establishment primarily engaged in the provision of
236 broadcasting and other information relay services accomplished through the use of electronic, fiber
237 optic, satellite, and telephonic mechanisms, including film and sound recording, a radio station,
238 television studio or a telegraphic service office.
- 239 Radio or television broadcasting transmission facility means an installation or facility used for
240 transmitting terrestrial radio frequency and video signals for radio, television, wireless communication,
241 broadcasting, microwave link, mobile telephone or other similar purposes.
- 242 Railroad car classification yard or team truck yard means an area used to separate rail cars onto one of
243 several tracks or reconfigure team trucks into different configurations.
- 244 Recreational vehicle/boat and trailer sales and service means a facility established for the exhibition,
245 sale, and repair of recreational vehicles/boats and personal use trailers.
- 246 Riding academies or stable means a building where horses and ponies are sheltered, fed, or kept and
247 where riding lessons may be provided.
- 248 Swimming pools, commercial means any indoor or outdoor structure, chamber, or tank containing a
249 body of water for swimming, diving, or bathing that is intended to be used for such purposes and is
250 operated for profit through a membership or daily fee.
- 251 Temporary trailer means an enclosed or unenclosed structure, on wheels, that is used for temporary
252 storage purposes.

253 Towing or wreckage service means a business engaged in the transport or conveyance of vehicles from
254 one point to another, for a fee, by use of a flatbed truck, tow truck or wrecker truck but does not include
255 disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles. ~~Tow service~~
256 ~~means establishment that provides for the removal and temporary storage of vehicles, but does not~~
257 ~~include disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles. See also~~
258 ~~Automobile recovery and storage.~~

259 Truck terminal means a building, structure or place at an industrial facility where trucks load and unload
260 cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or
261 larger loads for transfer to other trucks or modes of transportation. This is not intended for long term
262 warehousing or storage of inventory or for retail sales, but to serve solely as a transfer facility. ~~an area~~
263 ~~and building where vehicles load and unload cargo and freight and where the cargo and freight may be~~
264 ~~broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of~~
265 ~~transportation.~~ [TMOD-21-001] Warehousing or storage means a business establishment primarily
266 engaged in the indoor or enclosed storage of merchandise, goods, and materials, not including “mini-
267 warehouses”, “self-storage facilities”, and “truck terminals.”

268 Wireless Telecommunication Facilities – See Sub-section 4.2.57.B. – Supplemental Uses, Wireless
269 telecommunications for the meaning of terms used in that section, including the following:

- 270 1. Accessory-equipment (or Equipment)
- 271 2. Administrative approval
- 272 3. Administrative review
- 273 4. Alternative Telecommunication Support Structure
- 274 5. Antenna
- 275 6. Applicant
- 276 7. Application
- 277 8. Attached wireless telecommunications facility
- 278 9. Carrier on wheels or cell on wheels (COW)
- 279 10. Collocate or collocation
- 280 11. Commission
- 281 12. Distributed antenna systems (DAS)
- 282 13. Equipment compound
- 283 14. FAA
- 284 15. FCC

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- 285 16. Geographic search area (GSA)
 - 286 17. Grantee
 - 287 18. Guyed Structure
 - 288 19. Height
 - 289 20. Modification
 - 290 21. Ordinary maintenance
 - 291 22. Provider
 - 292 23. Public Right(s)-of-Way
 - 293 24. Public Street
 - 294 25. Small Cell or Small-Cell Installation
 - 295 26. Substantial increase in size
 - 296 27. Telecommunications Facility
 - 297 28. Telecommunications Service(s)
 - 298 29. Telecommunications Support Structure
 - 299 30. Utility
 - 300 31. Visual Quality

Track Changes Summary of Proposed Amendments to the Zoning Ordinance related to TMOD-21-017 - Standardization of Definitions

Article	Section	Change
2	2.3.2- RE District	Inserted lists of permitted and special uses
2	2.4.2 – RLG District	Inserted lists of permitted and special uses
2	2.5.2 – R-100 District	Inserted lists of permitted and special uses
2	2.6.2 – R-85 District	Inserted lists of permitted and special uses
2	2.7.2 – R-75 District	Inserted lists of permitted and special uses
2	2.8.2 – R-60 District	Inserted lists of permitted and special uses
2	2.9.2 – MHP District	Inserted lists of permitted and special uses
2	2.10.2 – RNC District	Inserted lists of permitted and special uses
2	2.10.7 – RNC Minimum lot width; minimum lot size; building setback; street width; and private drive width requirements	Removed redundancy between subsections – deleted subsections C and D.
2	2.10.11 RND Off Street Parking Requirements	Updated land use terms for Child care institution, group
2	2.12.2 – RSM District	Inserted lists of permitted and special uses
2	2.12.5 – RSM, density bonus example	Deleted outdated graphic of density bonus example
2	2.13.2 – MR-1 District	Inserted lists of permitted and special uses
2	2.14.2 – MR-2 District	Inserted lists of permitted and special uses
2	2.15.2 – HR-1 District	Inserted lists of permitted and special uses
2	2.16.2 – HR-2 District	Inserted lists of permitted and special uses
2	2.17.2 – HR-3 District	Inserted lists of permitted and special uses
2	2.19.3 – MU-1 District	Inserted lists of permitted and special uses
2	2.19.6 – MU-1, density bonus example	Deleted outdated graphic of density bonus example
2	2.20.2 – MU-2 District	Inserted new section that lists permitted and special uses
2	2.21.2 – MU-3 District	Inserted new section that lists permitted and special uses

Article	Section	Change
2	2.22.2 – MU-4 District	Inserted lists of permitted and special uses
2	2.23.2 – MU-5 District	Inserted lists of permitted and special uses
2	2.25.3 – NS District	Inserted lists of permitted and special uses
2	2.26.2 – C-1 District	Inserted lists of permitted and special uses
2	2.27.2 – C-2 District	Inserted lists of permitted and special uses
2	2.28.2 – OD District	Inserted lists of permitted and special uses
2	2.29.2 – OI District	Inserted lists of permitted and special uses
2	2.30.2 – OIT District	Inserted lists of permitted and special uses
2	2.31.2 – M District	Inserted lists of permitted and special uses
2	2.32.2 – M-2 District	Inserted lists of permitted and special uses
2	2.32.5 – M-2 Solid waste facility/landfill provisions	Deleted outdated section. Landfills are a prohibited use, per TMOD-21-010.
3	3.1.6 – Overlay Use Table	Updated table with new land use terms
3	3.33.5 – Principal uses and structures	Removed Utility structure necessary for the transmission or distribution of services. This was replaced Telecommunications text amendment in 2019, TMOD-19-004.
3	3.4.5 – Arabia Mtn Conservation Overlay	Updated land use terms in the list of prohibited uses, and added clarification of the term net lot area and lot coverage (Sections 3.4.7, 3.4.8, and 3.4.9).
3	3.5.15.2 Stonecrest Area Overlay	Updated land use terms.
3	3.33.5 and 3.33.6 - I-20 Overlay	Updated land use terms.
4	4.1.3.D. Prohibited Uses	Clarified language regarding the disposal or storage of hazardous/toxic solid waste approved as part of TMOD-21-010.
Agricultural		
Agriculture and Forestry		
4	Table 4.1 Use Table	Change “Agricultural” to “Agricultural activities”.
4	Table 4.1 Use Table	Remove “Commercial greenhouse or plant nursery” as it is identified in the Commercial Use list.

Article	Section	Change
4	Table 4.1 Use Table	Change “Temporary or Portable Sawmill” to “Sawmill, Temporary or Portable”.
Residential		
Dwellings		
4	Table 4.1 Use Table	Change “Dwelling, multi-family” to “Dwelling, multifamily”.
4	Table 4.1 Use Table	Change “High Rise Apartment” to “Dwelling, Apartment”.
4	Table 4.1 Use Table	Remove “live/work unit” from light industrial and heavy industrial
Housing and Lodging		
4	Table 4.1 Use Table	Change “Bed and Breakfast, home stay” to “Bed and Breakfast Establishment”.
4	Table 4.1 Use Table	Change “Child caring home” to “Child care home”.
4	Table 4.1 Use Table	Change “Child caring facility” to “Child care facility”.
4	Table 4.1 Use Table	Change “Extended stay hotel/motel” to “Hotel/motel, extended stay”.
4	Table 4.1 Use Table	Change “Short term vacation rental” to “Short-term vacation rental”.
Institutional/Public		
Education		
4	Table 4.1 Use Table	Remove “club, order or lodge, fraternal, non-commercial” from light industrial
4	Table 4.1 Use Table	Remove “colleges, universities, research and training facilities” from light industrial
4	Table 4.1 Use Table	Remove “places of worship” from light industrial and heavy industrial
4	Table 4.1 Use Table	Change “Private educational services, home occupation” to “Educational use, private”
4	Table 4.1 Use Table	Add “School, public kindergarten, elementary, middle or high schools” under Office Institutional and OIT

Article	Section	Change
4	Table 4.1 Use Table	Change “Specialized School” to “School, Specialty” to match the definition.
4	Table 4.1 Use Table	Change “Vocational School” to “School, Vocational”.
Commercial		
Automobile, boat and trailer sales and service		
4	Table 4.1 Use Table	Change “Auto recovery, storage” to “Automobile recovery and storage”.
4	Table 4.1 Use Table	Remove “Automobile recovery and storage” from heavy industrial
4	Table 4.1 Use Table	Change “Boat sales” to “Recreational vehicle, boat and trailer sales and service”.
4	Table 4.1 Use Table	Change “Automobile repair or maintenance, minor” to “Automobile repair, minor”
4	Table 4.1 Use Table	Remove “Automobile repair, minor” from heavy industrial
4	Table 4.1 Use Table	Remove “Automobile sales or trucks sales” from heavy industrial
4	Table 4.1 Use Table	Remove “Automobile service stations” from heavy industrial
4	Table 4.1 Use Table	Remove “Retail automobile parts or tire store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Trailer or RV salesroom and lots”.
Office		
4	Table 4.1 Use Table	Remove “Accounting office” from list as it will be included under “Office, professional”
4	Table 4.1 Use Table	Add “Automobile Brokerage” to Office Institutional” and “Office Institutional Transitional”
4	Table 4.1 Use Table	Separate “Building, landscape, heavy construction contractor office” into “Contractor, Landscape business” and “Contractor office, heavy construction”. Remove from light and

Article	Section	Change
		heavy industrial as office only. It will be included as “office, professional”. May be a permitted use if incidental business/building
4	Table 4.1 Use Table	Remove “Engineering or architecture office” as it will be included under “Office, professional”.
4	Table 4.1 Use Table	Remove “Finance office or banking” as it will be included under “Office, professional”.
4	Table 4.1 Use Table	Change “General business office” to “Office, professional”.
4	Table 4.1 Use Table	Remove “Insurance office” as it will be included under “Office, professional”.
4	Table 4.1 Use Table	Remove “Legal office” as it will be included under “Office, professional”.
4	Table 4.1 Use Table	Change “Medical office” to “Office, medical”.
4	Table 4.1 Use Table	Remove “Real estate office” as it will be included under “Office, professional”.
Recreation and Entertainment		
4	Table 4.1 Use Table	Change “Indoor recreation” to “Recreation, indoor”. Remove from Light and Heavy Industrial
4	Table 4.1 Use Table	Change “Outdoor recreation” to “Recreation, outdoor”. Remove from Light and Heavy Industrial
4	Table 4.1 Use Table	Remove “Fairground Amusement Park” from Heavy Industrial
4	Table 4.1 Use Table	Remove “Night Club” or “Late Night Establishments” from Light and Heavy Industrial
Retail		
4	Table 4.1 Use Table	Remove “Apparel or accessories store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Book, greeting card or stationary store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Camera or photography” as it will be

Article	Section	Change
		included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Computer or computer software store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Convenience store (see alcohol outlet or fuel pumps accessory) as it will be included under "Retail, 5,000 sf or less".
4	Table 4.1 Use Table	Remove "Drive-thru facilities" and "Farmer's Market" Permanent from Light and Heavy Industrial.
4	Table 4.1 Use Table	Remove "Farm or garden supply store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Florist" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Specialty food stores" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Gift, novelty or souvenir store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Gold buying" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Grocery store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Hardware store or other building materials store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Hobby, toy or game store" as it will be included under "Retail, 5,000 sf or less" or "Retail, over 5,000 sf."
4	Table 4.1 Use Table	Remove "Jewelry store" as it will be included

Article	Section	Change
		under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Music or music equipment store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “News dealer or news store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Office supplies and equipment store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Pet supply store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Pharmacy or drug store (see alcohol outlet)” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Radio, television or computer electronics store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Specialty store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Sporting goods store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Thrift, secondhand, antique store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Variety store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
Temporary Commercial Uses		
4	Table 4.1 Use Table	Change “Temporary outdoor events” to “Temporary outdoor sales or event, seasonal”.

Article	Section	Change
Services		
4	Table 4.1 Use Table	Change “Adult day care center” to “Adult Day Center”.
4	Table 4.1 Use Table	Change “Adult day care facility” to “Adult daycare facility”.
4	Table 4.1 Use Table	Change “Kennel, breeding or boarding” to “Kennel, breeding”
4	Table 4.1 Use Table	Remove “Photoengraving, typesetting and electrotyping” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Photographic studios” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
4	Table 4.1 Use Table	Remove “Plumbing, HV/AC equipment establishments with no outdoor storage” as it will be included under a new use and definition of “Trade shops”.
4	Table 4.1 Use Table	Change “Publishing or printing establishments” to “Printing or publishing establishments”.
4	Table 4.1 Use Table	Remove “Quick copy printing store” as it will be included under “Retail, 5,000 sf or less” or “Retail, over 5,000 sf.”
Services, Medical and Health		
4	Table 4.1 Use Table	Change “Health services clinic” to “Clinic, health services”.
4	Table 4.1 Use Table	Remove “Home healthcare service” as it will be included under a new use and definition of “Personal services establishment”.
4	Table 4.1 Use Table	Change “Medical or dental laboratory” to “Laboratory, medical or dental”.
Services, Repair		
4	Table 4.1 Use Table	Remove “Furniture upholstery or repair, home appliance repair or service” as it will be included

Article	Section	Change
		under a new use and definition of “Personal services establishment”.
4	Table 4.1 Use Table	Remove “Personal service, repair” as it will be included under “Personal services establishment”.
Industrial		
4	Table 4.1 Use Table	Remove “Adult Day Care” was approved to be removed at 5/23/2022 City Council
4	Table 4.1 Use Table	Remove “Alcohol or alcoholic beverage manufacturing” as it will be included under “Industrial, light”.
4	Table 4.1 Use Table	Remove “Alcohol outlet package stores” as it will be included under “Commercial as 5,000 sf of retail or less”
4	Table 4.1 Use Table	Remove “Automobile Brokerage” as it will be included under “Office Institutional” and “Office Institutional Transitional”
4	Table 4.1 Use Table	Remove “Automobile/truck manufacturing” as it will be included under “Industrial, heavy”.
4	Table 4.1 Use Table	Add “Brewpub/Beer Growler, Accessory” as it will be included under “Industrial, light”.
4	Table 4.1 Use Table	Remove “Automobile Brokerage” as it will be included under “Office Institutional” and “Office Institutional Transitional”
4	Table 4.1 Use Table	Add “Brewery Craft” as it will be included under “Industrial, light”.
4	Table 4.1 Use Table	Add “Brewery Large Scale” as it will be included under “Industrial, heavy”.
4	Table 4.1 Use Table	Remove “Brick, clay, tile or concrete products terracotta manufacturing” as it will be included under “Industrial, heavy”.
4	Table 4.1 Use Table	Remove “Cement, lime, gypsum, or plaster of Paris manufacturing” as it will be included under “Industrial, heavy”.

Article	Section	Change
4	Table 4.1 Use Table	Remove “Compressed gas fuel station” as it will be included under “Industrial, heavy” or “Industrial, light”.
4	Table 4.1 Use Table	Remove “Chemical manufacture, organic or inorganic” as it will be included under “Industrial, heavy”.
4	Table 4.1 Use Table	Add “Distillery Craft” as it will be included under “Industrial, light”.
4	Table 4.1 Use Table	Add “Distillery Large Scale” as it will be included under “Industrial, heavy”
4	Table 4.1 Use Table	Remove “Distillation of bones or glue manufacture” as this use is prohibited.
4	Table 4.1 Use Table	Remove “Dye works” as this use is prohibited.
4	Table 4.1 Use Table	Remove “Explosives manufacture” as this use is prohibited.
4	Table 4.1 Use Table	Remove “Fabricated metal manufacture” as it will be included under “Industrial, heavy”.
4	Table 4.1 Use Table	Remove “Fuel dealers, manufactures, or wholesalers” as manufacture is prohibited. “Fuel dealers or wholesalers” will be included under “Industrial, heavy” or “Industrial, light”.
4	Table 4.1 Use Table	Remove “Ice manufacturing plant” as it will be included under “Industrial, heavy”.
4	Table 4.1 Use Table	Remove “Incineration of garbage or refuse when conducted within an enclosed plant” as this use is prohibited.
4	Table 4.1 Use Table	Remove “Leather manufacturing or processing” as it will be included under “Industrial, heavy”.
4	Table 4.1 Use Table	Remove “Light malt beverage manufacturer” as it will be included under “Industrial, heavy” or “Industrial, light”.
4	Table 4.1 Use Table	Change “Light manufacturing” to “Manufacturing, light”.
4	Table 4.1 Use Table	Remove “Paper or pulp manufacture” as this use is prohibited.

Article	Section	Change
4	Table 4.1 Use Table	Remove “Petroleum or inflammable liquids production, refining” as this use is prohibited.
4	Table 4.1 Use Table	Remove “Radioactive materials, utilization, manufacture, processing or emission” as this use is prohibited.
4	Table 4.1 Use Table	Remove “Repair/manufacture of clocks, watches, toys, electrical appliances, electronics” as it will be included under “Industrial, light”.
4	Table 4.1 Use Table	Change “Research, experimental or testing laboratories” to “Research and training facilities”
4	Table 4.1 Use Table	Remove “Rubber or plastics manufacture” as this use is prohibited.
4	Table 4.1 Use Table	Remove “Smelting: copper, iron, zing or ore” as this use is prohibited.
4	Table 4.1 Use Table	Change “Storage yard for damaged or confiscated vehicles” to “Storage yard for vehicles”.
4	Table 4.1 Use Table	Remove “Sugar refineries” as this use is prohibited.

4	Table 4.1 Use Table	Remove “Tire retreading and recapping” as this use is prohibited.
4	Table 4.1 Use Table	Remove “Transportation equipment manufacture” as it will be included under “Industrial, heavy”.
4	Table 4.1 Use Table	Change “Truck stop or terminal” to two uses “Truck stop” and “Truck terminal” as they mean different things.

Communication - Utility

4	Table 4.1 Use Table	Change “Electric transformer station, gas regulator station or telephone exchange” to “Essential services”.
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Article	Section	Change
4	4.2.29 Heavy	Remove outdated reference to landfills.

	Industrial Uses	
4	4.2.49 Solid waste facility regulations	Deleted section, which included outdated reference to landfills which are now prohibited.
4	4.3.5 Temporary outdoor sales or events	Updated terms
6	Table 6.2 Off-street Parking Ratios	Updated terms
7	7.4.7.D. Biomedical waste facility	Removed outdated subsection dealing with prohibited use.
Agricultural		
Animal Oriented Agriculture		
9	9.1.3 Defined Terms	Add the following definition: "Livestock sales pavilion - any place or establishment conducted or operated for compensation or profit consisting of pens, or other enclosures, in which house horses, cattle, mules, burros, swine, sheep, goats and poultry are temporarily received, held, assembled and/or slaughtered for either public or private sale."
9	9.1.3 Defined Terms	Rename "Riding Stable" to "Riding academies or stables" and change existing definition to "Riding Academies or Stables - a building where horses and ponies are sheltered, fed, or kept and where riding lessons may be provided."
Residential		
Dwellings		
9	9.1.3 Defined Terms	Rename "Cottage Homes" to "Dwelling, cottage home".
9	9.1.3 Defined Terms	Rename "Live-work unit" to "Live/work unit".
Housing and Lodging		
9	9.1.3 Defined Terms	Delete "Home stay bed and breakfast" as it will be considered "Bed and Breakfast Establishment".
Institutional/Public		
Community Facilities		

9	9.1.3 Defined Terms	Add the following definition: “Government facilities - Buildings or office space utilized for the provision of services by the City of Stonecrest, DeKalb County, the State of Georgia, or the Federal Government including outdoor activities and parking. Such uses include, but are not limited to, the municipal building, fire stations, police stations, government offices, public parks and recreation related facilities and other similar uses.”
9	9.1.3 Defined Terms	Add the following definition: “Swimming pools, commercial – any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing that is intended to be used for such purposes and is operated for profit through a membership or daily fee.”
Commercial		
Automobile, boat and trailer sales and service		
9	9.1.3 Defined Terms	Change “Automobile repair and maintenance, major” to “Automobile repair, major”.
9	9.1.3 Defined Terms	Change “Automobile repair and maintenance, minor” to “Automobile repair, minor”.
Recreation and entertainment		
9	9.1.3 Defined Terms	Add the following definition: “Commercial entertainment means places of amusement or assembly including but not limited to motion picture theaters or cinemas, live theater, comedy clubs, bowling alleys, dance halls, skating rinks, etc. This definition does not include night clubs, party houses or brewpubs.”
Office		
9	9.1.3 Defined Terms	Add the following definition: “Office, building or construction – a temporary structure used as an office or storage for construction operations and is located at the construction site.”
9	9.1.3 Defined Terms	Change the definition of “General business See Office, professional.”
Retail		

9	9.1.3 Defined Terms	Add the following definition: “Trade shops - a building designed and equipped for carrying on the trades of metal working, woodworking, welding, plumbing, HVAC, machine work, electrical work, roofing or siding and glasswork and includes contracting in these trades.”
Temporary Commercial Uses		
9	9.1.3 Defined Terms	Add the following definition “Temporary trailer – a enclosed or unenclosed structure, on wheels, that is used for temporary storage purposes.”
Transportation and Storage		
9	9.1.3 Defined Terms	Add the following definition: “Bus or rail station or terminal – a designated place where a bus or train temporarily stops to embark or disembark passengers. A terminal is the location where the bus or train starts or ends its scheduled route.”
9	9.1.3 Defined Terms	Change “Commercial Parking Lot” to “Parking lot, commercial” and add the following definition: “Parking lot, commercial - means any area designed for temporary storage of motor vehicles by the motoring public in normal operating condition, for profit.
9	9.1.3 Defined Terms	Change “Commercial parking garage” to “Parking garage, commercial”.
Services		
9	9.1.3 Defined Terms	Add the following definition: “Bank, credit unions or other similar financial institutions – any building, property or activity of which the principal use or purpose is for federally insured depository purposes and including the provision of financial services such as loans and automated teller machines, but does not include cash advance, check cashing establishments, short-term loan, and pay day lending.”
9	9.1.3 Defined Terms	Change “Check cashing facility to “Check cashing establishment’.

9	9.1.3 Defined Terms	Add the following definition: "Coin Laundry - an establishment with coin-operated clothing washing machines and dryers for public use."
9	9.1.3 Defined Terms	Add the following definition: "Outdoor storage, commercial - the keeping, in an unenclosed area, of any goods, materials, or merchandise associated for a daily, monthly or annual fee. This term does not include the parking of any vehicles or outdoor display of merchandise."
Industrial		
9	9.1.3 Defined Terms	Add the following definition: "Heavy equipment repair, service or trade – a building or lot used for the repair, servicing, lease or sale of heavy equipment."
9	9.1.3 Defined Terms	Add the following definition: "Railroad car classification yard or team truck yard – An area used to separate rail cars onto one of several tracks or reconfigure team trucks into different configurations."
9	9.1.3 Defined Terms	Modify the definition of "Tow service" to "Towing or wreckage service – a business engaged in the transport or conveyance of vehicles from one point to another, for a fee, by use of a flatbed truck, tow truck or wrecker truck but does not include disposal, permanent disassembly, salvage, or accessory storage of inoperable vehicles."
9	9.1.3 Defined Terms	Revise the definition of Truck Terminal – "Truck terminal means a building, structure or place at an industrial facility where trucks load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other trucks or modes of transportation. This is not intended for long term warehousing or storage of inventory or for retail sales, but to serve solely as a transfer facility. "
9	9.1.3 Defined Terms	Add the following definition: "Warehousing or storage means a business establishment primarily engaged in the indoor or enclosed storage of merchandise, goods, and materials,

		not including “mini-warehouses”, “self-storage facilities,” or “truck terminals.”
Communication - Utility		
9	9.1.3 Defined Terms	Add the following definition: “Essential services - the erection, construction, alteration, or maintenance by public utilities or City departments of overhead, surface or underground gas, electrical steam, or water, distribution or transmission systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, tunnels, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, poles, electrical substation, gas regulator stations and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such utility or City department or for the public health, safety, or general welfare, shall be exempt from the regulations of this code. The installation shall conform to Federal Communications Commission and Federal Aviation Agency rules and regulations, and those of other authorities having jurisdiction.”
9	9.1.3 Defined Terms	Add the following definition: “Radio or television broadcasting studio - An establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic, fiber optic, satellite, and telephonic mechanisms, including film and sound recording, a radio station, television studio or a telegraphic service office.”
9	9.1.3 Defined Terms	Add the following definition: “Radio or television broadcasting transmission facility - is an installation or facility used for transmitting terrestrial radio frequency and video signals for radio, television, wireless communication, broadcasting, microwave link, mobile telephone or other similar purposes.”
Wireless Telecommunication		

9	9.1.3 Defined Terms	<p>Add the following definition: “Wireless Telecommunication Facilities – See Sub-section 4.2.57.B. – Supplemental Uses, Wireless telecommunications for the meaning of terms used in that section, including the following:</p> <ol style="list-style-type: none"> 1. Accessory-equipment (or Equipment) 2. Administrative approval 3. Administrative review 4. Alternative Telecommunication Support Structure 5. Antenna 6. Applicant 7. Application 8. Attached wireless telecommunications facility 9. Carrier on wheels or cell on wheels (COW) 10. Collocate or collocation 11. Commission 12. Distributed antenna systems (DAS) 13. Equipment compound 14. FAA 15. FCC 16. Geographic search area (GSA) 17. Grantee 18. Guyed Structure 19. Height 20. Modification 21. Ordinary maintenance 22. Provider 23. Public Right(s)-of-Way 24. Public Street 25. Small Cell or Small-Cell Installation 26. Substantial increase in size 27. Telecommunications Facility 28. Telecommunications Service(s) 29. Telecommunications Support Structure 30. Utility 31. Visual Quality
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Chapter 27 ZONING ORDINANCE

ARTICLE 1. GENERAL REQUIREMENTS

DIVISION 1. GENERAL PROVISIONS

Sec. 1.1.1. Short title.

This chapter shall be known and shall be cited as the "Zoning Ordinance of Stonecrest, Georgia," and may be referred to herein as "zoning ordinance" or "this chapter."

(Ord. of 8-2-2017, § 1(1.1.1))

Sec. 1.1.2. Effective date.

This zoning ordinance was adopted on August 7, 2017, and became effective on August 7, 2017 (the "effective date"). As of the effective date, any pre-existing zoning ordinance shall be repealed.

(Ord. of 8-2-2017, § 1(1.1.2))

Sec. 1.1.3. Purpose and intent of code.

This chapter is enacted by the City of Stonecrest to promote the public health, safety, morals and general welfare of the residents of the City of Stonecrest, Georgia, and to implement the Comprehensive Plan. To these ends, this chapter is intended to achieve the following purposes:

- A. To guide and regulate the orderly growth, development, redevelopment and preservation of the City of Stonecrest in accordance with a well-considered comprehensive plan and with long-term objectives, principles and standards deemed beneficial to the interest and welfare of the people;
- B. To protect the established character of both private and public property;
- C. To promote, in the public interest, the wise utilization of land;
- D. To provide for adequate light, air, convenience of access, and safety from fire, flood and other dangers;
- E. To reduce or prevent congestion in the public streets;
- F. To facilitate the creation of a convenient, attractive and harmonious community;
- G. To encourage an aesthetically attractive environment, both built and natural, and to provide for regulations that protect and enhance these aesthetic considerations;
- H. To expedite the provision of adequate police and fire protection, safety from crime, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements;
- I. To protect against destruction of, or encroachment upon, historic areas;
- J. To protect against overcrowding of land, overcrowding of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, and loss of life or health or property from fire, flood, or other danger;

- K. To encourage economic development activities that provide desirable employment and enlarge the tax base;
- L. To promote the preservation of the unique natural and physical resources of the City including forested areas, riverbeds, stream beds, and archaeological sites;
- M. To achieve compliance with all applicable state and federal regulations;
- N. To protect the public welfare by protecting approach slopes and other safety areas of licensed airports;
- O. To provide for and promote housing for all income groups and all citizens within the city;
- P. To implement the authority, powers and duties of the planning commission and the zoning board of appeals pursuant to state and local law, including, but not limited to, Ga. Const. art. IX, section II, ¶ IV;
- Q. To reduce or eliminate the secondary effects of sexually oriented businesses and other establishments that create such secondary effects while protecting legitimate constitutional rights of said establishments; and
- R. To provide for protection of the constitutional rights and obligations of all citizens within the city.

(Ord. of 8-2-2017, § 1(1.1.3))

Sec. 1.1.4. Minimum requirements.

In their interpretation and application, the provisions of this chapter shall be considered minimum requirements for the promotion of the public health, safety, morals and general welfare, as set forth in section 1.1.3 hereof establishing the intent and purpose of this chapter. Within each zoning district, the regulations set forth shall be minimum requirements and shall apply uniformly to each class or kind of building, structure or land, except as may be altered through conditions of zoning applied to specific properties or variances or waivers, as provided for in article 7 of this chapter.

(Ord. of 8-2-2017, § 1(1.1.4))

Sec. 1.1.5. Authority.

This chapter is enacted pursuant to the City of Stonecrest's authority to adopt plans and exercise the power of zoning granted by the Ga. Const. art. IX, section II, ¶ IV; City of Stonecrest's authority to enact regulations and exercise powers granted by the Ga. Const. art. IX, section II, ¶¶ I and III; authority granted by the State of Georgia, the City of Stonecrest's Charter, and the Official Code of Georgia Annotated (O.C.G.A.); the city's general police powers; and other powers and authority provided by federal, state and local laws applicable hereto.

(Ord. of 8-2-2017, § 1(1.1.5))

Sec. 1.1.6. General applicability.

All buildings and structures erected hereafter, all uses of land, water, buildings or structures established hereafter, all structural alterations or relocations of existing buildings occurring hereafter, and all enlargements of, additions to, changes in and relocations of existing uses occurring hereafter shall be subject to all regulations of this chapter which are applicable to the zoning district or districts in which such buildings, structures, uses or land are located. Existing buildings, structures and uses which comply with the regulations of this chapter shall be subject to all regulations of this chapter. Existing buildings, structures and uses which do not comply with the regulations of this chapter shall be authorized to continue subject to the provisions of article 8 of this chapter relating to nonconformities.

(Ord. of 8-2-2017, § 1(1.1.6))

Sec. 1.1.7. Applicability to all property.

The regulations in this chapter shall apply to all buildings, structures, land and uses within the incorporated area of Stonecrest, Georgia.

(Ord. of 8-2-2017, § 1(1.1.7))

Sec. 1.1.8. General prohibition.

No building or structure, and no use of any building, structure, land, or property, and no lot of record, now or hereafter existing, shall hereafter be established, constructed, expanded, altered, moved, diminished, divided, eliminated or maintained in any manner except in conformity with the provisions of this chapter. No use of any land, building, structure or property shall be permitted unless expressly and specifically authorized in the district or districts within which said use is located or by the supplemental regulations contained in article 4 of this chapter. When a use is not directly mentioned, the director of planning may determine that the proposed use is functionally similar to an allowed land use, as listed in Table 4.1, Use Regulations. The city council subsequently amend the applicable definitions in article 9 of this chapter, pursuant to the amendment procedures in article 7 of this chapter.

(Ord. of 8-2-2017, § 1(1.1.8))

Sec. 1.1.9. Interpretation and authority to administer.

The director of planning is designated to administer, interpret and enforce the provisions of this chapter for all proposed zoning, variances, comprehensive planning, and applications requiring zoning compliance, including, but not limited to, subdivisions, site plans, permits and zoning compliance certifications for licenses and occupational taxes. Unless otherwise specified, where this zoning ordinance refers to "the director" or "the planning director," it shall mean the director of planning or his designee.

(Ord. of 8-2-2017, § 1(1.1.9))

Sec. 1.1.10. Components of zoning ordinance.

This chapter and the official zoning map and official overlay district maps of the city on file and maintained by the planning department shall together constitute the zoning ordinance.

(Ord. of 8-2-2017, § 1(1.1.10))

Sec. 1.1.11. Transitional provisions.

- A. *New development.* Upon the effective date of this zoning ordinance or any subsequent amendment thereafter, any new building, structure or lot legally established shall be used, constructed or developed only in accordance with all applicable provisions of this zoning ordinance.
- B. *Existing development.* Any existing use, lot, building or other structure legally established prior to the effective date of this zoning ordinance that does not comply with all of the provisions of this zoning ordinance shall be subject to the provisions of article 8 of this chapter, nonconformities.
- C. *Transition to new zoning districts.* The zoning district names in effect under DeKalb County's prior version of its zoning ordinance are converted as shown in Table 1.1. To the extent other sections of the Code of the City of Stonecrest refer to such previous district names, unless and until such other sections are amended to

reflect a new intent, any reference to such previous district names shall be deemed to refer to both the previous district name and the new district name to which it is converted in this zoning ordinance.

- D. *Pre-existing violations.* Any violation of the pre-existing zoning ordinance for which a citation has been issued as of the effective date of this zoning ordinance shall continue to be prosecuted subject to the penalties existing at the time of the issuance of the citation. If a violation of the pre-existing zoning ordinance existed as of the effective date of this zoning ordinance without a citation having been issued, and if the underlying activity that would have constituted a violation under the pre-existing zoning ordinance would not constitute a violation under this zoning ordinance, the violation shall be deemed to have been cured and no citation shall be issued.
- E. *Completed applications prior to effective date of this zoning ordinance.*
 - 1. Any proper and complete application (as defined in article 9 of this chapter) for a permit, license, rezoning, variance, or other approval that was submitted to and accepted by the DeKalb County planning department prior to the effective date of this zoning ordinance shall be evaluated by the City of Stonecrest based on the applicable law, rules, regulations and development standards in place at the time the application was submitted.
 - 2. Applicants who submitted an application prior to the effective date of this zoning ordinance but who wish to proceed under the standards of this zoning ordinance may withdraw their application and submit a new application in accordance with the standards in this zoning ordinance and pay any fee required under this zoning ordinance.
- F. *Prior approvals.*
 - 1. *Zoning conditions.*
 - a. Any project that was approved prior to the effective date of the ordinance from which this chapter is derived by DeKalb County may be developed according to the provisions of the previously approved development, program, or plan. Where conditions were attached to such prior approval and such conditions conflict with a standard or requirement of this zoning ordinance, the previously approved zoning condition shall apply. If a previously approved development, program, plan or condition does not address a particular development standard or requirement of this zoning ordinance, the new standard or requirement of this zoning ordinance shall apply.
 - b. If an owner or applicant desires to have the standards and requirements of this chapter to apply instead of standards and requirements established by previously approved zoning conditions, the owner or applicant must apply for a zoning condition amendment, as provided in article 7 of this chapter.
 - c. Notwithstanding subsections A. and B. of this section, when no land disturbance or building permit has been issued on property located in an overlay district and on which a zoning condition was previously approved, and if the previously approved zoning condition is in conflict with the overlay district regulations, the overlay district regulations shall supersede the previously approved zoning condition.
 - 2. *Development applications.* Projects with valid approvals or permits issued prior to the effective date of this zoning ordinance may be developed in accordance with the applicable law, rules, regulations and development standards in effect at the time of the approval or permit issuance, provided the permit or approval is valid and has not lapsed. Any reapplication for an expired approval or permit shall meet the standards of this zoning ordinance.
 - 3. *Special land use permits.* Properties subject to a special land use permit that was approved prior to the effective date of this zoning ordinance shall continue to be subject to the terms of the special land use permit and previous zoning regulations even if the zoning district classification is amended to a new zoning district as part of the adoption of this zoning ordinance.

Table 1.1. Prior Zoning District Conversion to Established New Districts

Old District	New District by Type	District Name
<i>Residential Single-Family Districts</i>		
R-200	Residential Estate	RE
R-150		
R-30,000	Residential Large Lot	RLG
R-20,000		
R-100	Residential Medium Lot	R-100
R-85	Residential Medium Lot	R-85
R-75	Residential Medium Lot	R-75
R-60	Residential Small Lot	R-60
R-50		
MHP	Mobile Home Park	MHP
R-NVD	Neighborhood Conservation	RNC
<i>Medium and High Density Residential Districts</i>		
R-A5	Small Lot Residential Mix	RSM
R-A8		
R-CH		
R-CD		
R-DT		
TND		
RM-150		
RM-100		
RM-85	Medium Density Residential-2	MR-2
RM-75		
New	High Density Residential-1	HR-1
RM-HD	High Density Residential-2	HR-2
New	High Density Residential-3	HR-3
<i>Mixed Use Districts</i>		
PC-1	Mixed Use Low Density	MU-1
New	Mixed Use Low-Medium Density	MU-2
New	Mixed Use Medium Density	MU-3
OCR	Mixed Use High Density	MU-4
PC-2, PC-3	Mixed Use Very High Density	MU-5
<i>Nonresidential Districts</i>		
NS	Neighborhood Shopping	NS
C-1	Local Commercial	C-1
C-2	General Commercial	C-2
O-I-T	Office-Institutional-Transitional	OIT
O-I	Office-Institutional	OI
O-D	Office-Distribution	OD
M	Light Industrial	M
M-2	Heavy Industrial	M-2

(Ord. of 8-2-2017, § 1(1.1.11))

Sec. 1.1.12. Relation to and conflict with other provisions.

The provisions of this chapter shall be interpreted and applied so as to constitute the minimum requirements for the promotion of the public health, safety, morals, and general welfare. Whenever any provision of this chapter imposes a greater requirement or a higher standard than is required by any federal or state law or other city ordinance, resolution or regulation, the provision of this chapter shall govern unless preempted by said federal or state law. Whenever any provision of any federal or state law or other city ordinance, resolution or regulation imposes a greater requirement or a higher standard than is required by this chapter, the provision of such state or federal statute or other city ordinance or regulation shall apply. Whenever any conflict arises between this chapter and chapter 14 of the Code of the City of Stonecrest, the provisions of this zoning ordinance shall prevail, with the exception of chapter 14, article II, environmental control. Compliance with the provisions of this chapter shall not be interpreted to obviate the requirements for compliance with any and all other provisions of federal or state law, or the Code, including, but not limited to, the requirements for licenses or permits of any kind.

(Ord. of 8-2-2017, § 1(1.1.12))

Sec. 1.1.13. Relation to private agreements.

This chapter is not intended to abrogate, annul or otherwise interfere with any easement, covenant or other private agreement or legal relationship, provided that when the regulations of this chapter are more restrictive or impose higher standards or requirements than such easements, covenants, or other private agreements or legal relationships, the regulations of this chapter shall govern. Private restrictive covenants to which the city is not a party shall not be regulated or enforced by the city under this chapter.

(Ord. of 8-2-2017, § 1(1.1.13))

Sec. 1.1.14. Zoning maps.

The city shall be divided into the zoning districts identified in articles 2 and 3 of this chapter, as depicted on the official zoning maps entitled "Official Zoning Map, Stonecrest, Georgia" (the "official zoning maps"). The official zoning maps, to be adopted contemporaneously with this chapter, together with all explanatory information contained or referenced thereon, is hereby adopted by reference and declared to be a part of this chapter.

The official zoning maps shall be adopted contemporaneously with this chapter in digital format and contained on a compact disk to be maintained in its original, unedited and unaltered form by the clerk to the city council. A printed copy of the compact disk's contents depicting the official zoning maps on the date of its initial adoption shall also be maintained in its original, unedited and unaltered form by the clerk to the city council.

Any subsequent amendments made by the city council to the official zoning maps after the initial date of adoption with this chapter shall be indicated on the digital version of the official zoning maps by the director of planning. The director of the planning shall continuously maintain the digital version of the official zoning maps so that they accurately show all amendments made thereto by the city council since the initial date of adoption, indicating the dates of said amendments. A copy of the updated and current version of the official zoning maps in digital format, showing all amendments thereto since the date of initial adoption, shall be held in the custody of the director of planning.

Any conditions of zoning related to any property, either existing at the time of initial adoption imposed by DeKalb County or subsequently imposed by the city council shall be on the official zoning maps, with reference to the applicable zoning case number. The clerk to the city council shall maintain custody of the minutes applicable to the referenced zoning case numbers adopted by the City of Stonecrest, which state the zoning conditions. The director of planning shall maintain the minutes applicable to zoning conditions adopted by DeKalb County prior to the incorporation of the City of Stonecrest. All conditions referenced in the minutes of DeKalb County on parcels previously imposed by DeKalb County are hereby adopted and incorporated as if they were adopted by the City of

Stonecrest. If there is a conflict between the conditions on the official zoning map, or the condition is not depicted on the official zoning map, the conditions imposed in the text of the minutes incorporating the conditions shall apply. Uncertified copies of the official zoning maps may be provided to the public for informational purposes only.

Verifications of the current zoning status of property shall be the responsibility of the director of planning. To verify the current zoning status of a particular parcel, an individual may obtain a certified copy of the official zoning maps, or a portion thereof, from the director of planning. Certified copies of the official zoning maps, or portions thereof, shall be certified by the director of planning with his signature and the date on which the portions were certified. The director of planning shall be the final authority as to the current zoning status of all land, buildings and structures located in the city, except for:

- (1) Amendments enacted by the city council but not yet depicted on the official zoning maps; and
- (2) Uncertainties to be clarified by the city council as described in section 1.1.15.

Any inaccuracy on the official zoning maps that is reasonably determined to be a scrivener's error may be corrected by the planning director.

(Ord. of 8-2-2017, § 1(1.1.14))

Sec. 1.1.15. Interpretation of zoning maps.

Where uncertainty exists as to the boundaries of zoning districts as shown on the official zoning maps, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow centerlines of rights-of-way or prescriptive easements. In case of closure of a street or alley, or vacation of any easement, the boundary shall be construed as remaining at its prior location unless ownership of the closure or vacated area is divided other than at the center, in which case the boundary shall be construed as moving to correspond with the ownership, but not beyond any previous right-of-way or easement line.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following city limit lines shall be construed as following such city limits.
- D. Boundaries indicated as approximately following railroad lines shall be construed to be midway in the right-of-way.
- E. Boundaries indicated as approximately following shorelines of bodies of water shall be construed to follow such shorelines. Boundaries indicated as approximately following the centerlines of creeks, streams, rivers, or other predominantly linear bodies of water shall be construed to follow such centerlines.
- F. Boundaries indicated as parallel to or concentric with, or extensions of features indicated in sections A. through E. of this section, shall be so construed. Distances and dimensions not specifically indicated on the official zoning map shall be determined from the official zoning map by the director of planning.
- G. Where areas appear to be unclassified on the official zoning map, and classification cannot be established by the above rules, such areas shall be considered to be classified Residential Estate (RE) until action is taken by the city council to amend the official zoning map.
- H. Where territory is added to the jurisdictional area, it shall be considered to be classified Residential Estate (RE) until action is taken by the city council to amend the official zoning map.
- I. Where uncertainties continue to exist or further interpretation is required beyond that provided for in the above sections, the question shall be presented by the director of planning to the city council to

enact a clarifying resolution and said action shall be recorded on the official zoning map as is provided herein.

(Ord. of 8-2-2017, § 1(1.1.15))

Sec. 1.1.16. Rules applicable to parcels split into two or more zoning districts.

Where a parcel of land is split into two or more zoning districts, each such portion of said parcel may only be used for the purposes allowed within the zoning district to which each respective portion is classified. No principal or accessory use of land, buildings or structures, and no use or building or structure authorized by special administrative permit, special land use permit, or special exception, shall be authorized unless said use or building or structure is authorized or permitted within the applicable zoning district.

(Ord. of 8-2-2017, § 1(1.1.16))

Sec. 1.1.17. Reserved.

Sec. 1.1.18. Transition period.

In the event that chapter 27 references a code, section, plan, or ordinance of DeKalb County that has not been adopted, amended or developed by the City of Stonecrest, DeKalb County's current version of the code, section, plan or ordinance shall apply. In the event that chapter 27 refers to a department or official not yet created in the City of Stonecrest, the reference shall refer to the planning director or his designee.

(Ord. of 8-2-2017, § 1(1.1.18))

Sec. 1.1.19. Annexation.

When the city is a qualified municipality pursuant to O.C.G.A. § 36-66-4(e), all annexed property shall be zoned without further action for the same use for which that property was zoned immediately prior to annexation.

(Ord. of 8-2-2017, § 1(1.1.19))

DIVISION 2. RELATIONSHIP TO COMPREHENSIVE PLAN

Sec. 1.2.1. Relationship to comprehensive plan.

- A. Role of the comprehensive plan. The city comprehensive plan, consisting of its future development map and related policies, as may be amended from time to time, is hereby established as the official policy of the city concerning designated future land uses, and as a guide to decisions regarding the appropriate manner in which property may be zoned in the incorporated areas of the city. A copy of the city comprehensive plan, as may be amended from time to time, shall be maintained at the Planning & Zoning Department and be available for inspection by the public.
- B. Relationship between the comprehensive plan and zoning. The city comprehensive plan does not change the existing zoning districts in the city, and does not itself permit or prohibit any existing or future land uses. Instead, the comprehensive plan establishes broad planning policy for current and future land uses and will be consulted as a guideline for making decisions about applications to amend the official city zoning map and text of the zoning ordinance.
- C. Consistency with comprehensive plan character areas. Any applicant seeking to rezone property to a classification that is inconsistent with the adopted comprehensive plan must first obtain approval of an amendment to the comprehensive plan from the City Council, following the procedures in this Zoning Ordinance.
- D. Amendments to the comprehensive plan. The comprehensive plan shall be reviewed and updated or amended (as appropriate) according to a schedule approved by the City Council, and as required by the DCA in compliance with the Rules of DCA, Chapter 110-12-1, Minimum Standards and Procedures for Local Comprehensive Planning. However, exceptions may be granted by the City Council in between the regular review and update cycle in cases of demonstrated hardship, or in cases of large-scale developments that may provide special economic benefits to the community. Requests for amendment exceptions shall be subject to same approval process as any regular scheduled comprehensive plan update, being subject to approval by City Council after receiving recommendations from the Planning Commission and following all the required elements of public involvement process, including public hearings.

[TMOD-21-001]

ARTICLE 2. DISTRICT REGULATIONS

DIVISION 1. ESTABLISHMENT OF DISTRICTS

Sec. 2.1.1. Districts established.

City of Stonecrest establishes the following zoning districts listed in Table 2.1, which apply to property as illustrated on the official zoning map. See article 3 of this chapter for overlay districts.

Table 2.1. Zoning Districts Established

District Name	District Type
<i>Residential Single-Family Districts</i>	
RE	Residential Estate
RLG	Residential Large Lot
R-100	Residential Medium Lot-100
R-85	Residential Medium Lot-85
R-75	Residential Medium Lot-75
R-60	Residential Small Lot
MHP	Mobile Home Park
RNC	Neighborhood Conservation
<i>Medium and High Density Residential Districts</i>	
RSM	Small Lot Residential Mix
MR-1	Medium Density Residential-1
MR-2	Medium Density Residential-2
HR-1	High Density Residential-1
HR-2	High Density Residential-2
HR-3	High Density Residential-3
<i>Mixed Use Districts</i>	
MU-1	Mixed-Use Low Density
MU-2	Mixed-Use Low-Medium Density
MU-3	Mixed-Use Medium Density
MU-4	Mixed-Use High Density
MU-5	Mixed-Use Very High Density
<i>Nonresidential Districts</i>	
NS	Neighborhood Shopping
C-1	Local Commercial
C-2	General Commercial
OD	Office-Distribution
OI	Office-Institutional
OIT	Office-Institutional-Transitional
M	Light Industrial
M-2	Heavy Industrial

(Ord. of 8-2-2017, § 1(2.1.1))

Sec. 2.1.2. Prior district classifications and conversion.

The zoning district classifications established prior to the effective date of this zoning ordinance in DeKalb County that are no longer active shall be treated as classifications as shown in article 1 of this chapter, Table 1.1. (Ord. of 8-2-2017, § 1(2.1.2))

Sec. 2.1.3. Additional regulations.

Additional regulations for a variety of development and building types can be found in article 4 of this chapter (use regulations), article 5 of this chapter (site development regulations), and article 6 of this chapter (parking). Street type classifications for front setback requirements are set forth in chapter 14. (Ord. of 8-2-2017, § 1(2.1.3))

Sec. 2.1.4. Reserved.

(Ord. of 8-2-2017, § 1(2.1.4))

[TMOD-21-001]

Sec. 2.1.5. Permitted uses.

Permitted principal and accessory uses by zoning district, and whether a use is allowed by right or only with special approval, are set forth in Table 4.1. Table 4.1 also provides additional notation where supplemental regulations, also found in article 4 of this chapter, may apply.

DIVISION 2. RESIDENTIAL ZONING DISTRICTS: DIMENSIONAL REQUIREMENTS

Sec. 2.2.1. Dimensional requirements.

Dimensional requirements, such as overall site requirements, individual lot dimensions, and setbacks for residential zoning districts are established in Table 2.2, Residential Zoning Districts Dimensional Requirements. Residential infill development may also be subject to compatibility regulations as specified in sections 5.2.3 and 5.2.4.

Table 2.2. Residential Zoning Districts Dimensional Requirements

<i>Residential Single-Family Zoning Districts</i>								
KEY: Housing Types: SF: Single-Family, TF: Two-Family, TRF: Three-Family, MF: Multifamily								
<i>Element</i>	<i>RE</i>	<i>RLG</i>	<i>R-100</i>	<i>R-85</i>	<i>R-75</i>	<i>R-60</i>	<i>MHP</i>	<i>RNC*</i>
<i>Lot Dimensions (minimum)</i>								
Lot area (square feet)	43,560 (1 acre)	20,000	15,000	12,000	10,000	6,000/3,500 cottage	Parks: 20 acres Lots: 4,000	*
Lot width, street	150	65	100	85	75	60	Parks: 400 Lots: 50	*

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frontage (feet)								
Lot width at building line (feet)	150	65	100	85	75	60	N/A	*
Lot width fronting cul-de-sac (feet)	35	35	35	35	35	35	N/A	*
Lot coverage (maximum percent)	25	30	35	35	35	35	N/A	*
<i>Building Setbacks (minimum) Subject to article 5 of this chapter, Averaging Requirements</i>								
Front thoroughfares (feet)	60	70	50	50	45	30	Parks: 250 Lots: 10	*
Front arterials (feet)	50	60	40	40	35	20	150	*
Front collector and all other streets (feet)	45	55	35	35	30	If RC/TC/NC: 15 If SUB: 20	100	*
Front with alley access (feet)	N/A	25	25	25	25	10	Parks: N/A Lots: 10	*
Side - interior building setback (feet)	20	10	10	8.5	7.5	7.5	Parks: 50 Lots: 7.5	*
Side - corner lot on public street (feet)**	Same as district indicates front setback, following street type along the corner side property line							
Rear (feet)	40	40	40	40	40	30	Parks: 40**** Lots: 7.5****	*
<i>Unit Size, heated living area (minimum)</i>								
Unit size (square feet)	2,000	2,000	2,000	1,800	1,600	1,200 If cottage: 800—1,200	N/A	*
<i>Height (maximum)</i>								
Main building (feet) (Residential infill overlay = 28 feet)	35	35	35	35	35	35	35	*
Accessory building (feet)	24	24	24	24	24	24	N/A	*
<i>Open Space (minimum percent)</i>								
Open space	20 percent***	20 percent***	20 percent***	20 percent***	20 percent***	20 percent***	20 percent***	*

* See division 10 of this article.

** See article 5 of this chapter, corner lots section for reduction eligibility.

*** Open space requirement shall apply to new subdivisions if project is >five acres or >36 units (chapter 14).

**** 100 feet if adjacent to property zoned or used for residential purposes.

(Ord. of 8-2-2017, § 1(2.1.5))

[TMOD-21-001]

DIVISION 3. RE (RESIDENTIAL ESTATE) DISTRICT

Sec. 2.3.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the RE (Residential Estate) District is as follows:

- A. To preserve rural and estate residential character and to provide for very low density rural residential uses.
- B. To provide for the protection of neighborhoods within the city where lots have a minimum area of one acre;
- C. To provide protections for existing development as new subdivisions are created;
- D. To ensure that the uses and structures authorized in the RE (Residential Estate) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;
- E. To provide for appropriately sized accessible and useable open space in new developments for the health, recreational and social opportunities for city citizens;
- F. To provide areas for agricultural uses as appropriate;
- G. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.3.1))

Sec. 2.3.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

(Ord. of 8-2-2017, § 1(2.3.2)) [TMOD-22-001]

A. Permitted Uses

The following uses are permitted as of right under this code:

1. Agricultural Activities

- a. Dairy; see section 4.2
- b. Keeping of livestock; see section 4.2
- c. Keeping of poultry/pigeons; see section 4.2

- d. Livestock sales pavilion; see section 4.2
- e. Riding academies or stables; see section 4.2
- f. Sawmill, temporary or portable; see section 4.2
- g. Urban Community Garden, up to 5 acres; see section 4.2
- 2. Residential
 - a. Dwelling, single-family (detached)
- 3. Institutional/Public
 - a. Golf course or clubhouse, public or private; see section 4.2
 - b. Government facilities
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2
 - d. School, public kindergarten, elementary, middle or high schools
- 4. Commercial
 - a. Kennel, noncommercial
- 5. Communications – Utility
 - a. Essential services
 - b. Satellite television antenna; see section 4.2
- 6. Wireless Telecommunications
 - a. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses

The following uses are permitted only with administrative approval:

 - 1. Agricultural
 - a. Urban, community garden, over 5 acres
 - 2. Residential
 - a. Home occupation, no customer contact; see section 4.2
 - b. Party house
 - 3. Commercial
 - a. Farmer’s market, temporary/seasonal; see section 4.2
 - b. Temporary outdoor retail sales; see section 4.2
 - c. Temporary outdoor sales or events, seasonal; see section 4.2
 - d. Temporary produce stand; see section 4.2
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2
 - 4. Wireless Telecommunications
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential)

- b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2
- c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

C. Special Land Use Permit

The following uses are permitted only with a special land use permit:

1. Residential

- a. Bed and breakfast establishment; see section 4.2
- b. Home occupation, with customer contact; see section 4.2
- c. Child care home, 5 or less; see section 4.2
- d. Convents or monasteries; see section 4.2
- e. Personal care home, 6 or less; see section 4.2
- f. Senior housing; see section 4.2
- g. Short-term vacation rental

2. Institutional/Public

- a. Cemetery, columbarium, mausoleum; see section 4.2
- b. Places of worship; see section 4.2
- c. Recreation club; see section 4.2
- d. School, private kindergarten, elementary, middle or high schools; see section 4.2
- e. Special events facility
- f. Swimming pools, commercial; see section 4.2

3. Commercial

- a. Adult daycare facility, up to 6; see section 4.2
- b. Animal shelter/rescue center; see section 4.2
- c. Child day care facility, up to 6; see section 4.2
- d. Kennel, breeding; see section 4.2
- e. Kennel, commercial

4. Communication – Utility

- a. Amateur radio service or antenna; see section 4.2

5. Wireless Telecommunication

- a. New support structure from 51 feet to 150 feet; see section 4.2

D. Permitted Accessory