



## CITY OF STONECREST, GEORGIA

### CITY COUNCIL MEETING – AGENDA

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, January 23, 2023 at 6:00 PM

*Mayor Jazzmin Cobble*

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

*Council Member Alecia Washington - District 3    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 Meeting Minutes - December 27, 2022

**VII. REPORTS & PRESENTATIONS**

**VIII. PUBLIC COMMENTS**

*Citizens wishing to make a public comment may do so in person. Citizens may also submit public comments via email to [cityclerk@stonecrestga.gov](mailto:cityclerk@stonecrestga.gov) by 2 pm on the day of the meeting to be read by the City Clerk.*

*All members of the public wishing to address the City Council shall submit their name and the topic of their comments to the city clerk prior to the start of any meeting held by the City Council.*

*There is a two (2) minute time limit for each speaker submitting or reading a public comment. Individuals will be held to established time limits.*

## **IX. 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](mailto:cityclerk@stonecrestga.gov) by 2 pm the day of the Public Hearing to be read into the record at the meeting. 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..*

*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** - SLUP-22-007 6505 Charter Way - *Keedra Jackson*
- b. For Decision**- SLUP-22-007 6505 Charter Way - *Keedra T. Jackson*
- c. Public Hearing** - SLUP 22-008 3434 Bleckley Drive - *Keedra Jackson*
- d. For Decision** - SLUP-22-008 3434 Bleckley Drive - *Keedra T. Jackson*
- e. Public Hearing** - SLUP 22-009 1805 Springhill Cove - *Keedra Jackson*
- f. For Decision**- SLUP-22-009 1805 Spring Hill Cove - *Keedra Jackson*
- g. Public Hearing** - SLUP-22-012 7173 Covington Highway - *Keedra T. Jackson*
- h. For Decision** - SLUP-22-012 7173 Covington Highway - *Keedra T. Jackson*
- i. Public Hearing** - TMOD-22-012 Seaquest - *Keedra T. Jackson*
- j. For Decision** - TMOD-22-012 Seaquest - *Keedra T. Jackson*

## **X. CONSENT AGENDA**

- a. For Decision** - Parks LED Lighting Vendor Recommendation - *Gia Scruggs*

## **XI. APPOINTMENTS**

- a. For Decision** - URA Appointments, District 5 and Office of Mayor - *Mayor Pro Tem George Turner*
- b. For Decision** - Committees, Boards, Commissions and Agency Membership - *Mayor Pro Tem George Turner*

## **XII. OLD BUSINESS**

- a. For Decision** - Film Permit Text Amendment - 2nd Read - *William Smith*

## **XIII. NEW BUSINESS**

- a. For Decision** - Resolution Appointing DeKalb County to Conduct the City of Stonecrest General Election - *Sonya Isom*
- b. For Decision** - Resolution To Set Qualifying Dates and Fees for the November 7, 2023 General Election - *Sonya Isom*

**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**

**Tuesday, December 27, 2022 at 6:00 PM**

*Mayor Jazzmin Cobble*

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

*Council Member Alecia Washington - District 3    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 began at 6:04pm

**II. ROLL CALL:** Sonya Isom, City Clerk

All members present.

Mayor Pro Tem George Turner stated protocol is that the public is not permitted to approach the Council by coming past the podium. If there are items that need to be given to the City Clerk, Acting City Manager, or Council, they should be given to security.

**III. INVOCATION**

Lead by Councilmember Rob Turner.

**IV. PLEDGE OF ALLEGIANCE**

**V. APPROVAL OF THE AGENDA**

**Motion** - made by Councilmember Rob Turner to approve the December 27, 2022 meeting agenda. Councilmember Tara Graves seconded.

**Motion passed unanimously.**

**VI. REVIEW AND APPROVAL OF MINUTES**

a. Approval - of October 10, 2022 Special Called Meeting Minutes

**Motion** - made by Councilmember Tara Graves to approve the October 10, 2022 meeting minutes. Councilmember Tammy Grimes seconded.

**Motion passed unanimously.**

- b. Approval - of October 24, 2022 City Council Meeting Minutes

Mayor Pro Tem stated that in the Public Hearing section, it was addressed who was in favor but not who was in opposition. In the future, he would like staff to be sure to include both.

Mayor Cobble stated that the spelling of Mrs. Zickert’s name needs to be corrected in item D.

**Motion** - made by Councilmember Rob Turner to approve the October 24, 2022 meeting minutes with stated corrections. Councilmember Tammy Grimes seconded.

**Motion passed unanimously.**

- c. Approval - of November 7, 2022 Special Called Meeting Minutes

Mayor Pro Tem questioned if the meeting adjournment was before Council's comments. He stated this was a note and not a correction.

**Motion** - made by Councilmember Rob Turner to approve the November 7, 2022 meeting minutes. Councilmember Tara Graves seconded.

**Motion passed unanimously.**

- d. Approval - of November 14, 2022 Special Called Meeting Minutes

Mayor Pro Tem George Turner stated item 3a should be changed from constitute services to constituent services.

**Motion** - by Councilmember Tara Graves to approve the November 14, 2022 meeting minutes with stated corrections. Councilmember Rob Turner seconded.

**Motion passed unanimously.**

- e. Approval - of November 28, 2022 City Council Meeting Minutes

**Motion** - made by Councilmember Tammy Grimes to approve the November 28, 2022 meeting minutes. Councilmember Tara Graves seconded.

**Motion passed unanimously.**

**VII. PUBLIC COMMENTS**

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*All members of the public wishing to address the City Council shall submit their name and the topic of their comments to the city clerk prior to the start of any meeting held by the City Council.*

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One in person comment:

Faye Coffield - Concerns about the meeting start time as some people who work will have difficulty attending. Concerns about two minutes for public comments. Concerns about the development at Klondike and Mall Parkway and questioned if there is a new rule stating they can only have one point of entry/exit. Concerns about the city not having a tree ordinance even though many have asked for one. Questioned what is being built on Rock Springs and suggested there needs to be a look at the existing zoning to ensure it is compatible with what is already there. Residents south of I-20 want to remain a strong residential area. The city has failed to have a comprehensive development plan. Issue with zip code extension and still being listed as the City of Lithonia. Will there be changes to the way things are done with developers coming in or will it be business as usual?

There was one public comment submitted online by Malaika Wells and read by the City Clerk. Mrs. Wells gave details relating to Kwanzaa. She asked Council to reflect on the seven principles of Kwanzaa as we head into the New Year, using them to contribute to Stonecrest through leadership and service.

**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 Public Hearing to be read into the record at the meeting. 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.*

*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.*

**IX. CONSENT AGENDA**

Mayor Pro Tem provided an explanation of Consent Agenda and how it will be used and voted on by Council.

Councilmember Tara Graves asked to remove items c and d for further discussion.

**Motion** - made by Councilmember Tammy Grimes to approve the Consent Agenda items a, b, & e. Councilmember Rob Turner seconded.

**Motion passed unanimously.**

**a. For Decision** - Bike, Pedestrian, and Path Study Recommendation - *Gia Scruggs*

- b. **For Decision** - Economic Development Plan Recommendation - *Gia Scruggs*
- c. **For Decision** - ARPA Shade Structure Recommendation - *Gia Scruggs*

## X. APPOINTMENTS

- a. Appointment to URA - Alecia Washington

**Motion** - made by Councilmember Rob Turner to approve the appointment of Alecia Washington to the Urban Redevelopment Agency. Councilmember Tara Graves seconded.

**Motion passed unanimously.**

## XI. REPORTS & PRESENTATIONS

## XII. OLD BUSINESS

- a. **For Decision** - Public Works Study Recommendation - *Gia Scruggs*

Gia Scruggs, Acting City Manager, gave an overview. She stated that Council previously requested a public works study be done to determine the feasibility of the city bringing in services from DeKalb County. She stated the Carl Vinson Institute of Government received the highest score and they have a cost of \$20,600.00. She also stated that the funding source would be the Engineering, General Fund and Professional Services.

Councilmember Tara Graves asked if the city is ready to take on Public Works with all of the other things the city has on its plate. Councilmember Graves stated there should be closure or things finalized before starting anything additional. She also asked the time frame of the study itself. Ms. Scruggs explained that it would take 4 to 6 months before entering into any type of agreement with DeKalb County to bring those Services over and that we would have to give lead time to DeKalb County, which would be 12 or 24 months. Ms. Scruggs also stated that even though the study is complete, that does not start the clock for the city to bring those services. She explained that this has been mentioned in several public sessions and was something Council directed Staff to bring up.

Mayor Pro Tem stated that it has been mentioned by the public and members of staff that the city could provide Public Works. He stated this study would answer some of those questions and help make a decision. He clarified that even if the study determines that the city can provide Public Works, the Council is not bound to do it unless they feel that the time is right.

Mayor Cobble stated that in 2021, while in preparation for the 2022 budget, one of the council's priorities was Public Works. She also explained the timeline of events that lead to the recommendation coming back before council. Mayor Cobble stated the study would be done in part to fill the request of the citizens who feel like those services could be better handled by the city. She also stated staff has been asked to go back and renegotiate the IGA with the county to see if we can enhance the level of service while deciding whether it is feasible or not to move forward. There is a meeting scheduled in January to tackle the IGA.

**Motion** - made by Councilmember Tammy Grimes to approve the Public Works study recommendation presented to council from the Carl Vinson Institute. Councilmember Rob

Turner seconded.

**Motion passed unanimously.**

**b. For Decision - Leisure Services Equipment Recommendation - *Gia Scruggs***

Gia Scruggs, Acting City Manager, gave an overview. Ms. Scruggs stated that as a part of the FY23 budget approval, there was an in-house transition of services for right-of-way maintenance as well as janitorial service contracts. She stated that while multiple positions are being advertised by the Parks staff, staff wanted to ensure that they had the equipment they would need to perform these services. The city would no longer have to rent this equipment and it would be readily available to help with right-of-way maintenance as well as special events. Ms. Scruggs stated the cost is \$143,102.16 and the funding would be from Parks Equipment in the FY23 budget.

Councilmember Tara Graves asked if the Parks Department is currently doing right of way maintenance. Ms Scruggs confirmed that we are currently outsourcing the right -of-way maintenance but through the budget process for FY23, council approved transition of those services to be performed in house. Councilmember Graves asked about Council approving Kitson to take over right-of-way maintenance. Ms. Scruggs confirmed the approval was for the vendor to take over landscape maintenance for the Parks Department, including Browns Mill fields and parks mowing and field maintenance, stating Op-Tech has been providing the right-of-way maintenance throughout 2022. Councilmember Graves asked about the contract with Op-Tech. Ms. Scruggs explained that we are looking to transition those services in house. Councilmember Graves asked where the equipment would be stored. Ms. Scruggs explained most of them will be stored at Southeast complex and some in other places and staff would make sure the items would be secure. She stated the quicker the equipment is ordered; the quicker staff can begin transitioning that service and we will see a significant cost savings.

Mayor Pro Tem asked once we take over the right-of-way maintenance, will we be uniformed. Ms. Scruggs stated yes and confirmed she is currently working with Parks staff. She stated that could potentially be the next item that comes back before council depending on the costs.

**Motion** - made by Councilmember Tammy Grimes to proceed with the Leisure Services recommendation that has been presented. Councilmember Rob Turner seconded.

**Motion passed unanimously.**

**XIII. NEW BUSINESS**

**a. For Decision - Film Permit Text Amendment, 1st Read - *William Smith***

William Smith, Economic Development Director, gave a brief presentation.

City Clerk, Sonya Isom, read the preamble.

**This was a First Read.**

**b. For Decision - Summaries from Committees - *Mayor Pro Tem George Turner***

Mayor Pro Tem George Turner gave a presentation.



City Clerk, Sonya Isom, read the SPLOST committee's 2022 yearend report.

**Motion** - made by Councilmember Rob Turner to reconstitute the SPLOST committee in 2023. Councilmember Tammy Grimes seconded.

**Motion passed unanimously.**

Mayor Pro Tem George Turner stated that membership names will not be announced until the January 9, 2023 Work Session.

City Clerk, Sonya Isom, read the Transportation Committee's 2022 yearend report.

**Motion** - by Councilmember Tammy Grimes to reconstitute the Transportation Committee for 2023. Councilmember Rob Turner seconded.

**Motion passed unanimously.**

City Clerk, Sonya Isom, read the CID 2022 yearend report.

**Motion** - made by Councilmember Tammy Grimes to reconstitute the CID Advisory Committee for 2023. Councilmember Rob Turner seconded.

**Motion passed unanimously.**

City Clerk, Sonya Isom, read the Parks and Recreation Committee 2022 yearend report.

**Motion** - made by Councilmember Tammy Grimes to reconstitute the Parks and Recreation Advisory Committee for 2023. Councilmember Tara Graves seconded.

**Motion passed unanimously.**

Mayor Cobble gave a 2022 yearend report for the Finance Oversight Committee. She recommended reconstituting the committee for 2023 and agrees to meet quarterly instead of monthly.

**Motion** - made by Councilmember Rob Turner to reconstitute the Finance Oversight Committee for 2023. Councilmember Tara Graves seconded.

**Motion passed unanimously.**

**c. For Decision - City Hall Hours & Council Chamber Capacity - *Gia Scruggs***

Gia Scruggs, Acting City Manager, gave a presentation. She stated she would like approval to adjust the hours of operation from 9:00am to 4:30pm to 8:30 am to 4:30 pm and to keep masks mandatory instead of optional.

**Motion** - made by Councilmember Rob Turner to change city hall hours to 8:30am to 4:30 pm. Councilmember Tammy Grimes seconded.

**Motion passed unanimously.**

**d. For Decision - SDP-22-000015 The Enclave at Arabia Mountain - *Ray White***

Ray White, Planning and Zoning Director, gave a presentation and stated that staff is recommending a deferral of this item.

Councilmember Tammy Grimes inquired about the timeframe of the deferral and whether it is a 30-day cycle. Director White referred to the City's Attorneys. Winston Denmark, City Attorney, confirmed that it could be a 30-day deferral or longer if needed.

Councilmember Tammy Grimes asked if this would come back before Council at a council meeting or at a work session. She stated she wanted to ensure that every developer understands what is said and that Council will stand on what is said, when they come and want to develop in the Arabia Mountain Overlay.

**Motion** - made by Councilmember Tammy Grimes that SDP 22-000015 The Enclave at Arabia Mountain be deferred for 60 days. Councilmember Rob Turner seconded.

**Motion passed unanimously.**

**XIV. 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 matters. Councilmember Tara Graves seconded.

**Motion passed unanimously.**

**Motion** - made by Councilmember Rob Turner to return to the regular scheduled council meeting. Councilmember Tara Graves seconded.

**Motion passed unanimously.**

**Motion** - made by Councilmember Tammy Grimes to approve minutes from the Executive Session. Councilmember Rob Turner seconded.

**Motion passed unanimously.**

**Motion** - made by Councilmember Tammy Grimes to approve the discussed personnel action from the Executive Session. Councilmember Rob Turner seconded.

**Motion passed unanimously.**

**XV. CITY MANAGER UPDATE**

Gia Scruggs, acting City Manager, thanked City employees for all of the hard work done this calendar year. She stated the year began with 26 employees and we currently have 40 fulltime employees, with more pending. She invited everyone out to the MLK parade scheduled in January.

Mayor Pro Tem asked if we are closer to solving the flock camera situation. Ms. Scruggs stated that we are closer to a resolution on the camera situation and will make a public

statement on that soon.

City Attorney, Winston Denmark, wished everyone a Happy New Year and stated to be safe.

## **XVI. MAYOR AND COUNCIL COMMENTS**

District 1, Councilmember Tara Graves - This is the last meeting of this year. Happy New Year! It's been an honor to serve as District 1 representative. Thank you and be safe.

District 2, Councilmember Rob Turner - Wishes everyone a Happy New Year and a very safe new year! 2023 will be the greatest year of your entire life!

District 3, Alecia Washington - Happy New Year. Looking forward to working and making Stonecrest a better city.

District 5, Tammy Grimes - Greetings from District 5! She is sure everyone had a Merry Christmas and wishing everyone a Happy Hanukkah as well as a Happy Kwanza. Make sure you listen and obey the principles of Kwanza and we will see you in the new year. Be Safe.

Mayor Jazzmin Cobble – Wishing everyone a great New Year. Thank you to staff for all the hard work throughout the year and thank you to all who have served on a Board and/or Committee or Commission. Stay engaged and there are some exciting things coming to the City of Stonecrest. Happy New Year. Buckle Up.

District 4, George Turner - Looking forward to 2023 with great things in the City of Stonecrest! Thank you for your time, attendance and contributions to Stonecrest.

## **XVII. ADJOURNMENT**

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

**Motion passed unanimously.**

The meeting ended at 8:16pm.

### *Americans with Disabilities Act*

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## CITY COUNCIL AGENDA ITEM

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**SUBJECT: SLUP-22-007 6505 Charter Way**

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**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: Special Land Use Permit
- 

**ACTION REQUESTED:**  DECISION     DISCUSSION,     REVIEW, or     UPDATE ONLY

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**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, January 23, 2023

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**SUBMITTED BY:** Keedra T. Jackson, Deputy Director of Planning & Zoning

**PRESENTER:** Ray White, Director of Planning & Zoning

**PURPOSE:** To seek a Special Land Use Permit to operate a short-term rental.

**FACTS:** Applicant attended the CPIM on October 13<sup>th</sup> and Planning Commission on November 8<sup>th</sup>. The applicant is seeking to operate her home as a short-term rental. The home is a two-story, 3 bedroom dwelling.

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

**RECOMMENDED ACTION:** Decision only

**ATTACHMENTS:**

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - City of Stonecrest Zoning Ordinance SLUP 22-007
- (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 / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-007

**Planning Commission November 8th, 2022 / Mayor and City Council Meeting January 23<sup>rd</sup>, 2022**

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**GENERAL INFORMATION**

**Petition Number:** SLUP-22-007

**Applicant:** Tonette Spencer

**Owner:** Tonette Spencer

**Project Location:** 6505 Charter Way

**District:** District 1

**Acreage:** 0.07 acres

**Existing Zoning:** MR-1 (Multifamily Residential Lot) District

**Proposed Request:** Special Land Use Permit to operate as a short-term rental.

**Comprehensive Plan Community:** Suburban

**Area Designation:** Suburban

**Staff Recommendations:** *Approved with Conditions*

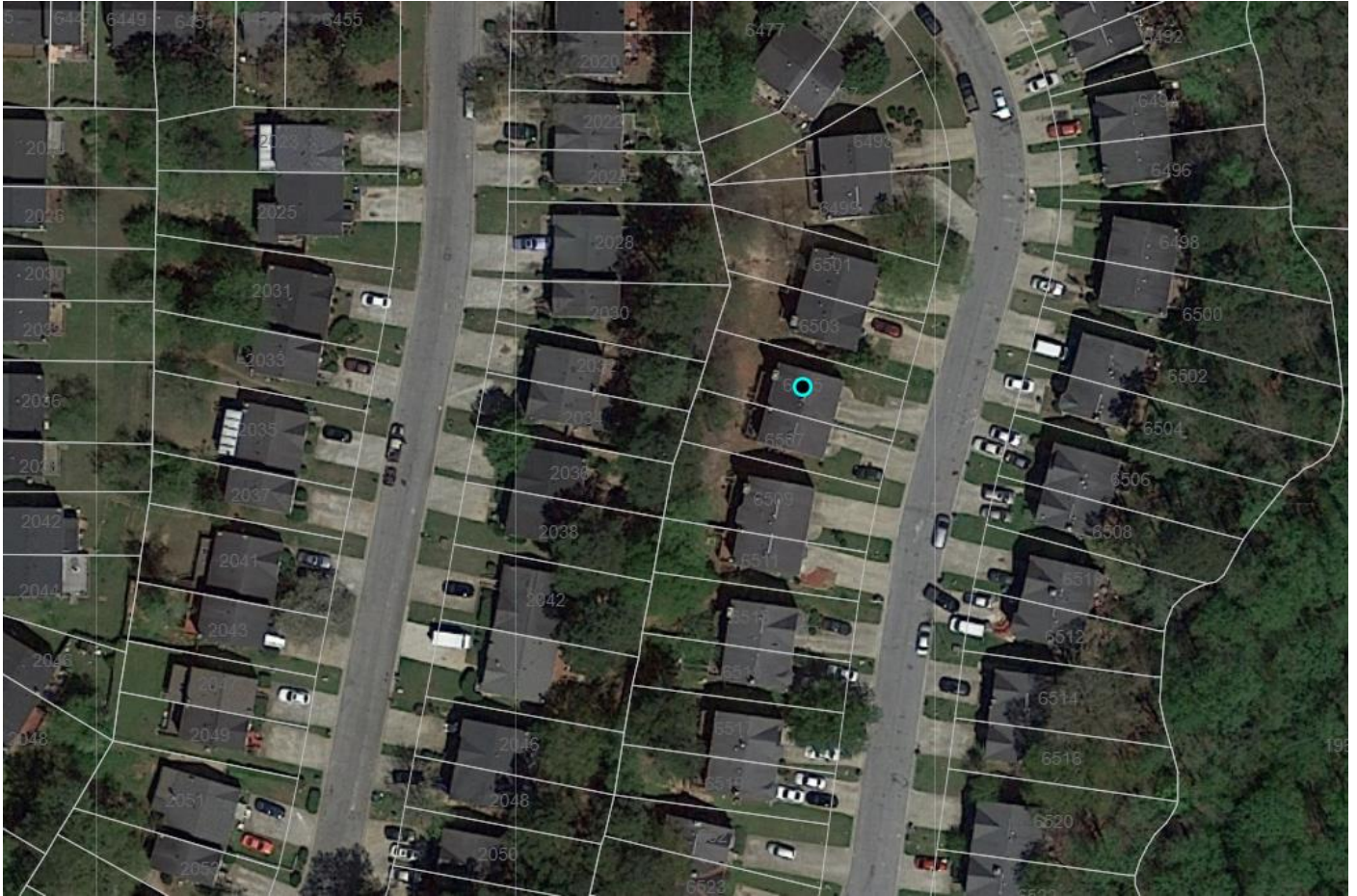
**Planning Commission:** *Approved with Conditions on November 8, 2022*

**City Council:** *N/A*

**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-007

**Aerial Map**



**ZONING CASE: SLU-22-007**

ADDRESS: 6505 CHARTER WAY, STONECREST, GA 30058

PARCEL NUMBER: 16 123 06 182

CURRENT ZONING: MR-1 (MEDIUM DENSITY RESIDENTIAL)

FUTURE LAND USE: SUBURBAN



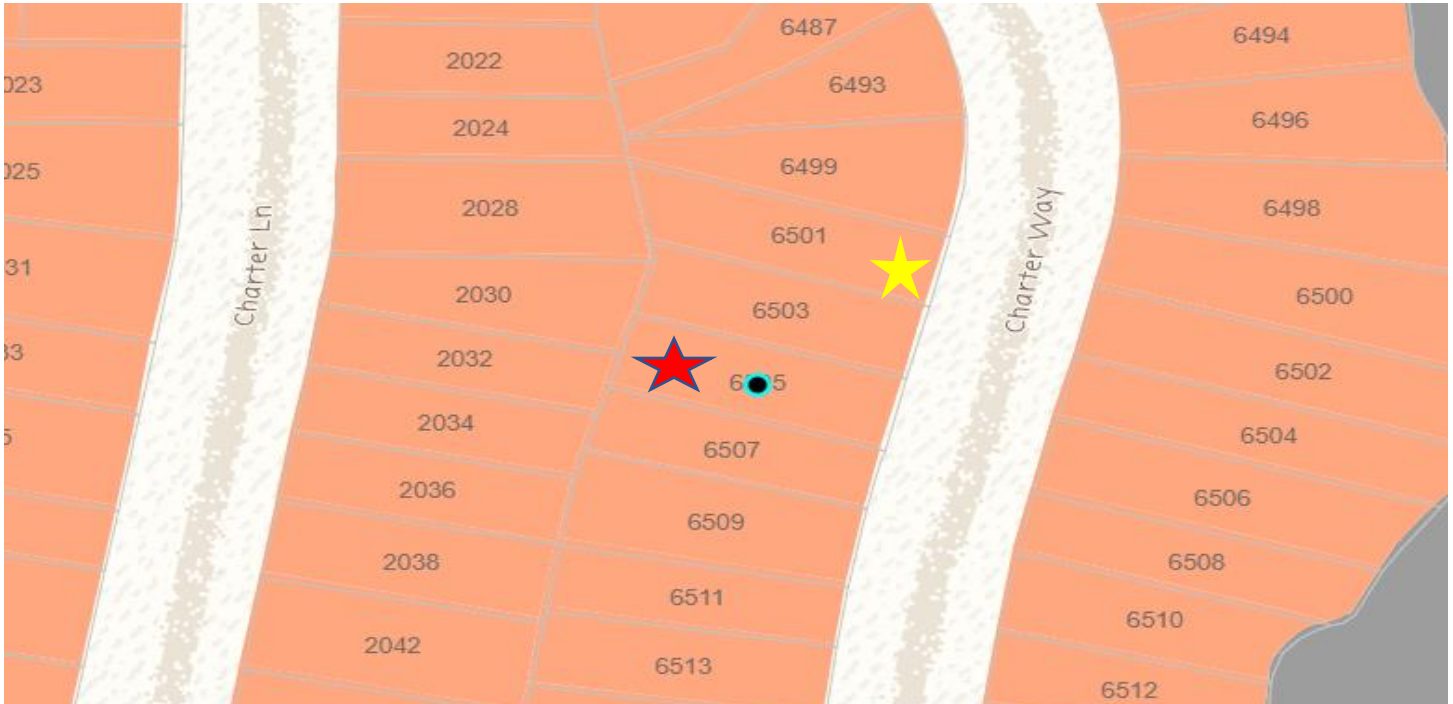
SUBJECT PROPERTY



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-007

Zoning Map



**ZONING CASE: SLU-22-007**

ADDRESS: 6505 CHARTER WAY, STONECREST, GA 30058

PARCEL NUMBER: 16 123 06 182

CURRENT ZONING: MR-1 (MEDIUM DENSITY RESIDENTIAL)

FUTURE LAND USE: SUBURBAN



SUBJECT PROPERTY

**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-007



**PROJECT OVERVIEW**

**Location**

The subject property is located at 6505 Charter Way in the Marbut Commons Subdivision. The property is bounded by residential development on all sides.

**Description and Background**

The subject property was constructed in 1997. It consists of a two-story, traditional frame house of 1360 square feet in size. It has 2 bedrooms and 2 ½ baths. The house is accessed via an apron concrete driveway fronting a one-car garage.

Currently, the property has kept its original zoning classification of MR-1 (Medium Density Residential) under Stonecrest Zoning Ordinance. The property was developed in part of a plan development for the Marbut Commons Subdivision.



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-007

The applicant is requesting a special land use permit to operate

**Interior Floor Plan**



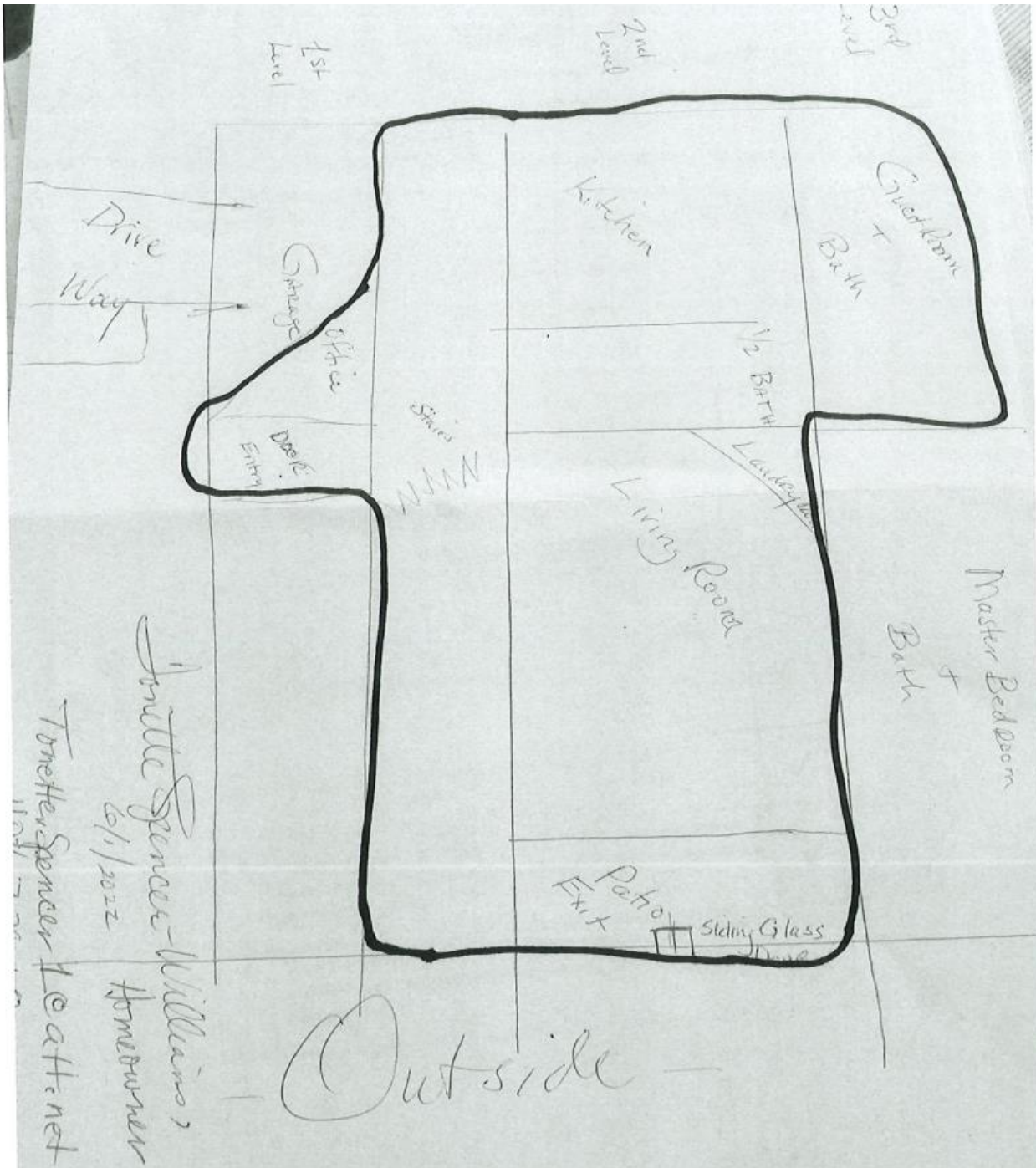
PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-007



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SLUP-22-007



Elevations

PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-007





**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-007

**Public Participation**

Property owners within 1000 feet of subject property were mailed notices of the proposed rezoning in October. The community meeting was held on October 13<sup>th</sup>, 2022, at 6:00 pm at via zoom.com. Only the applicant was in attendance.

**CRITERIA OF REVIEW**

*Section 7.4.6 of the Stonecrest Zoning Ordinance list nineteen factors to be considered in a technical review of a special land use permit completed by the Community Development Department and Planning Commission. Each criterion is listed with staff analysis.*

- A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use, including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The 1,360 square foot house on 0.07 acres is adequate for the operation of a short-term rental. The use will meet all other applicable requirements of the zoning district in which the usage is proposed.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The proposed use of short-term rental is located in a residential development. The proposed use will be compatible with other properties and land uses in the district.

- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

There are adequate public services, public facilities, and utilities to sever the proposed use.

- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

Charter Way is classified as a local street, the staff does have concern the public road may not have enough traffic capacity for the proposed use and may cause traffic and congestion in the area.

- E. Whether existing land uses located along access routes to the site will be adversely affected by the vehicles' character or the volume of traffic generated by the proposed use.**



## PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-007

The existing land use located along the access routes to the site would not be adversely affected by the vehicles' character or the volume of traffic generated by the proposed use. Charter Way is designed to handle a low impact volume of traffic.

**F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.**

The site's existing residential structure is accessed by vehicles via a concrete apron cut with driveway on Charter Way. Emergency vehicles can access the site from the existing driveway.

**G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.**

The proposed use will not create an adverse impact upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use. The residential use will not change as the applicant will be operating as a short-term rental.

**H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.**

The proposed use is not expected to create an adverse impact upon any adjoining land use because of the hours of operation. The property sits in an existing residential development.

**I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

The proposed use will not create an adverse impact upon any adjoining land use because of the manner of operation. The existing use as a residential dwelling will not change, only the occupancy will change monthly.

**J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

The proposed use is consistent with the zoning district classification requirement in which the use is proposed to be located.

**K. Whether the proposed use is consistent with the policies of the comprehensive plan.**

The proposed use of short-term rental is a use consistent with the policies of the comprehensive plan. Located in the Suburban character area, the character area policy states residential dwelling as an appropriate land use.

**L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-007

The proposed use will not require a buffer zone and transitional buffer zone.

**M. Whether there is adequate provision of refuse and service areas.**

The applicant will provide an adequate refuse and service area.

**N. Whether the length of time for which the special land use permit is granted should be limited in duration.**

Staff believes there shall be a limit of one year of the special land use duration due to the historical nature of this use in a residential setting.

**O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.**

The proposed use will not change any exterior design of the existing building. The current building is the appropriate size for the subject property and in relation to the size, scale, and massing of the nearby houses.

**P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

**Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.**

The proposed use submitted to Staff has met all the requirements within the supplemental regulation Sec 4.2.58 set forth by the zoning ordinance.

**R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.**

The subject property is existing and does not exceed the height of nearby residential structures. The existing building would be similar to the building height abutting the property located in the immediate area. There will be no negative shadow impact on any adjoining lot.

**S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.**

The proposed use is compatible with the surrounding area and would not conflict with the overall objective of the comprehensive plan.



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-007

**STAFF RECOMMENDATION**

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval. Therefore, Staff recommends *Approval of SLUP-22-007 with the following condition:*

1. The maximum overnight occupancy of a short-term rental shall be limited to two (2) persons for each bedroom, plus three (3) additional persons. The number of bedrooms shall be based upon the DeKalb County Tax Assessor’s residential profile of the property, and other documents of record, as needed. In no case shall the maximum total occupancy for any dwelling unit exceed the occupancy limits permitted by the state and local fire and building codes.
2. Between the hours of 10 PM and 7 AM, the occupancy load of the unit may not exceed the maximum allowed number of overnight tenants.
3. Compliance with the Stonecrest Noise Ordinance.
4. All marketing and/or advertising for short-term rental units must contain information concerning the occupancy limit of the short-term rental unit, and the maximum parking available on the property. Advertising for more than the allowable occupancy or allowable parking is prima facie evidence of a violation of the city code. Further, failure to include such occupancy limits and maximum parking availability is prima facie evidence of a violation of the city code.
5. Short-term rental units must be properly maintained and regularly inspected by the owner or agent to ensure continued compliance with applicable property maintenance, zoning, building, health and life safety code provisions.
6. No external signage may be permitted on the property.
7. Parked vehicles shall be provided in the driveway and not on-street parking.
  - Shall not be parked on the city right-of-way or along any roadways at any time; and
  - Shall be parked outdoors on the property only on designated hard surfaced areas with concrete or asphalt surfacing; and shall not be permitted outside such hard-surfaced areas (i.e., no parking in yards or neighbor's properties).





**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-007

- 8. Capacity shall be subject to the approval of the Fire Marshal's Office
- 9. If, during the first one year period, a short-term rental unit becomes in violation of any zoning, building, health or life safety code provision, the special land use becomes void at the completion of one year.
- 10. The Special Land Use Permit is not transferable and will only be permitted for the owner/operator Tonette Spencer.

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

**ORDINANCE NO. \_\_\_\_ - \_\_\_\_\_**

1 **AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,**  
2 **GEORGIA TO APPROVE SPECIAL LAND USE PERMIT 22-007 ON PARCEL NUMBER**  
3 **16 123 06 182 OF THE 1<sup>ST</sup> DISTRICT TO ALLOW FOR SHORT-TERM RENTAL AT**  
4 **6505 CHARTER WAY; TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY; TO**  
5 **PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN**  
6 **ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL**  
7 **PUPOSES.**

8  
9 **WHEREAS,** the City of Stonecrest (“City”) has advertised and held a public hearing on  
10 November  
11  
12 8, 2022 in front of the City’s Planning Commission regarding SLUP 22-007, the request for special  
13 land  
14  
15 use permit to operate a short- term rental with conditions at 6505 Charter Way, Stonecrest, Georgia  
16  
17 30058.; and

18  
19 **WHEREAS,** the City of Stonecrest has been vested with substantial powers, rights, and  
20  
21 functions to generally regulate the use of real property for the purposes of maintain health, morals,  
22  
23 safety, security, peace, and the general welfare of the City; and

24  
25 **WHEREAS,** the health, safety, and welfare of the citizens of the City will be positively  
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27 impacted by the adoption of this Ordinance.

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

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**OF THE CITY OF STONECREST, GEORGIA, as follows:**

**Section 1.** SLUP 22-007, a request for special land use permit to operate a short-term rental at 6505 Charter Way, Stonecrest, Georgia 30058, satisfying Section 7.4.6 of Division 4 of Article 7 in Chapter 27 of the City of Stonecrest Code of Ordinances, is **APPROVED WITH CONDITIONS** as follows:

1. The maximum overnight occupancy of a short-term rental shall be limited to two (2) persons for each bedroom plus three (3) additional persons. The number of bedrooms shall be based upon the DeKalb County Tax Assessor’s residential profile of the property, and other documents of record, as needed. In no case shall the maximum total occupancy for any dwelling unit exceed the occupancy limits permitted by the state and local fire and building codes.
2. Between the hours of 10 PM and 7 AM, the occupancy load of the unit may not exceed the maximum allowed number of overnight tenants.
3. Compliance with the Stonecrest Noise Ordinance.
4. All marketing and/or advertising for short-term rental units must contain information concerning the occupancy limit of the short-term rental unit, and the maximum parking available on the property. Advertising for more than the allowable occupancy or allowable parking is prima facie evidence of a violation of the city code. Further, failure to include such occupancy limits and maximum parking availability is prima facie evidence of a violation of the city code.
5. Short-term rental units must be properly maintained and regularly inspected by the owner or agent to ensure continued compliance with applicable property maintenance, zoning, building, health and life safety code provisions.
6. No external signage may be permitted on the property.
7. Parked vehicles shall be provided in the driveway and not on-street parking.
  - Shall not be parked on the city right-of-way or along any roadways at any time; and
  - Shall be parked outdoors on the property only on designated hard surfaced areas with concrete or asphalt surfacing; and shall not be permitted outside such hard-surfaced areas (i.e., no parking in yards or neighbor's properties).
8. Capacity shall be subject to the approval of the Fire Marshal's Office
9. If, during the first one-year period, a short-term rental unit becomes in violation of any zoning, building, health or life safety code provision, the special land use becomes void at the completion of one year.
10. The Special Land Use Permit is not transferable and will only be permitted for the owner/operator Tonette Spencer.

72           **Section 2.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
73 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their  
74 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

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

90           **Section 3.** The City Clerk, with the concurrence of the City Attorney, is authorized to  
91 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

92           **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby  
93 expressly repealed.

94           **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of the  
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107 State of Georgia and the City of Stonecrest.

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109 **Section 6.** It is the intention of the governing body, and it is hereby ordained that the

110

111 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of

112

113 Stonecrest, Georgia.

**SO ORDAINED AND EFFECTIVE** this \_\_\_\_\_ day of \_\_\_\_\_, **2023.**

**[SIGNATURES TO FOLLOW]**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**



## CITY COUNCIL AGENDA ITEM

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**SUBJECT: SLUP-22-008 3434 Bleckley Drive**

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**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: Special Land Use Permit
- 

**ACTION REQUESTED:**  DECISION     DISCUSSION,     REVIEW, or     UPDATE ONLY

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**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, January 23, 2023

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**SUBMITTED BY:** Keedra T. Jackson, Deputy Director of Planning & Zoning

**PRESENTER:** Ray White, Director of Planning & Zoning

**PURPOSE:** To seek a Special Land Use Permit to operate a short-term rental.

**FACTS:** Applicant attended the CPIM on October 13<sup>th</sup> and Planning Commission on November 8<sup>th</sup>. The applicant is seeking to operate her home as a short-term rental.

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

**RECOMMENDED ACTION:** Decision only

**ATTACHMENTS:**

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - City of Stonecrest Zoning Ordinance SLUP 22-008
- (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 / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-008 KJ

**Planning Commission November 8th, 2022 / Mayor and City Council Meeting January 23<sup>rd</sup>, 2022**

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**GENERAL INFORMATION**

**Petition Number:** SLUP-22-008

**Applicant:** Charmaine Hancock dba

**Owner:** Charmaine Hancock

**Project Location:** 3434 Bleckley Drive

**District:** District 4

**Acreage:** 0.47 acres

**Existing Zoning:** R-100 (Residential Medium Lot) District

**Proposed Request:** Special Land Use Permit to operate as a short-term rental.

**Comprehensive Plan Community:** Suburban

**Area Designation:** Suburban

**Staff Recommendations:** *Approved with Conditions*

**Planning Commission:** *Approved with Conditions*

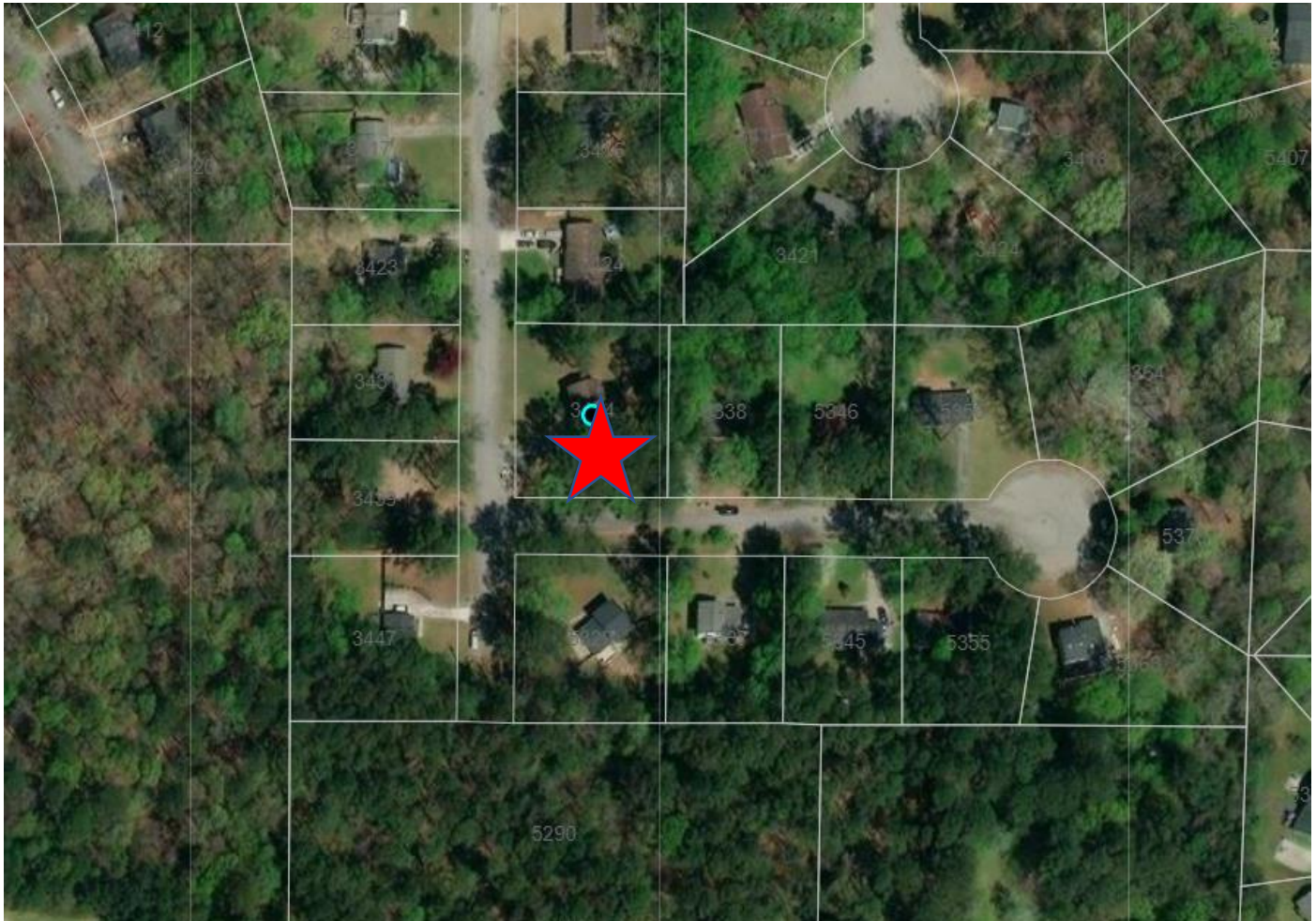
**City Council:** *N/A*



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-008 KJ

**Aerial Map**



**ZONING CASE: SLU-22-008**

ADDRESS: 3434 Bleckley Way, LITHONIA, GA 30038

PARCEL NUMBER: 16 044 03 049

CURRENT ZONING: R-100 (RESIDENTIAL MEDIUM LOT)

FUTURE LAND USE: SUBURBAN



**SUBJECT PROPERTY**

**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-008 KJ

**Zoning Map**



**ZONING CASE: SLU-22-008**

ADDRESS: 3434 BLECKLEY, LITHONIA, GA 30038

PARCEL NUMBER: 16 044 03 049

CURRENT ZONING: R-100 (RESIDENTIAL MEDIUM LOT)

FUTURE LAND USE: SUBURBAN



**SUBJECT PROPERTY**

**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-008 KJ



**PROJECT OVERVIEW**

**Location**

The subject property is located at 3434 Bleckley Drive in the Willowbrook Subdivision. The property is bounded by residential development on all sides.

**Description and Background**

The subject property was constructed in 1980. It consists of a two-story, traditional frame house of 1408 square feet in size. It has 4 bedrooms and 2 baths. The house is accessed via an apron concrete driveway fronting a two-car garage.

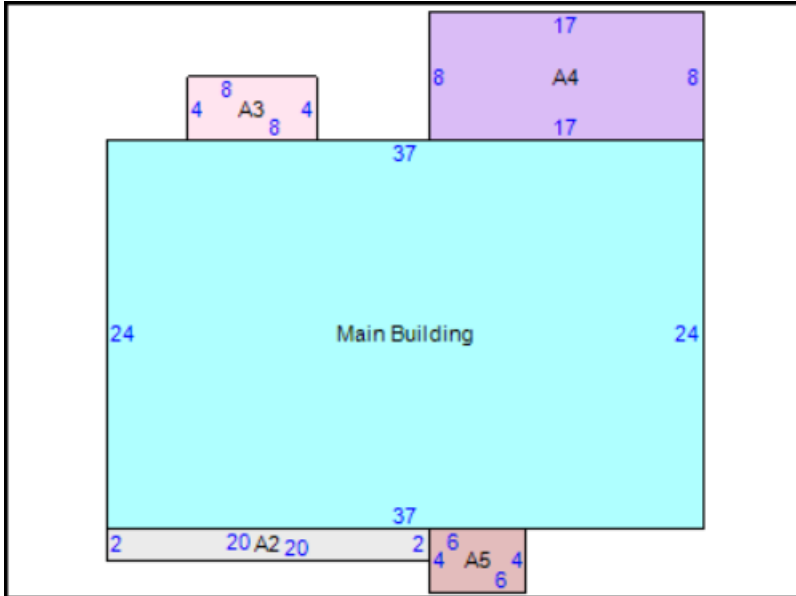
Currently, the property has kept its original zoning classification of R-100 (Residential Medium Lot) under Stonecrest Zoning Ordinance. The property was developed in part of a plan development for Willowbrook Subdivision.

**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-008 KJ

The applicant is requesting a special land use permit to operate

**Interior Floor Plan**



**Elevations**

**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-008 KJ



**Public Participation**

Property owners within 1000 feet of subject property were mailed notices of the proposed rezoning in October. The community meeting was held on October 13<sup>th</sup>, 2022, at 6:00 pm at via zoom.com. Only the applicant was in attendance.

**CRITERIA OF REVIEW**

Section 7.4.6 of the Stonecrest Zoning Ordinance list nineteen factors to be considered in a technical review of a special land use permit completed by the Community Development Department and Planning Commission. Each criterion is listed with staff analysis.

- A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use, including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The 1,480 square foot house on 0.47 acres is adequate for the operation of a short-term rental. The use will meet all other applicable requirements of the zoning district in which the usage is proposed.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-008 KJ

The proposed use of short-term rental is in a residential development. The proposed use will be compatible with other properties and land uses in the district.

**C. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

There are adequate public services, public facilities, and utilities to serve the proposed use.

**D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

Bleckley Drive is classified as a local street, the staff are concerned the public road may not have enough traffic capacity for the proposed use and may cause traffic and congestion in the area.

**E. Whether existing land uses located along access routes to the site will be adversely affected by the vehicles' character or the volume of traffic generated by the proposed use.**

The existing land use located along the access routes to the site would not be adversely affected by the vehicles' character or the volume of traffic generated by the proposed use. Bleckley Drive is designed to handle a low impact volume of traffic.

**F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.**

The site's existing residential structure is accessed by vehicles via a concrete apron cut with driveway on Charter Way. Emergency vehicles can access the site from the existing driveway.

**G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.**

The proposed use will not create an adverse impact upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use. The residential use will not change as the applicant will be operating as a short-term rental.

**H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.**

The proposed use is not expected to create an adverse impact upon any adjoining land use because of the hours of operation. The property is in an existing residential development.

**I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-008 KJ

The proposed use will not create an adverse impact upon any adjoining land use because of the manner of operation. The existing use as a residential dwelling will not change, only the occupancy will change monthly.

**J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

The proposed use is consistent with the zoning district classification requirement in which the use is proposed to be located.

**K. Whether the proposed use is consistent with the policies of the comprehensive plan.**

The proposed use of short-term rental is a use consistent with the policies of the comprehensive plan. Located in the Suburban character area, the character area policy states residential dwelling as an appropriate land use.

**L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**

The proposed use will not require a buffer zone or transitional buffer zone.

**M. Whether there is adequate provision of refuse and service areas.**

The applicant will provide an adequate refuse and service area.

**N. Whether the length of time for which the special land use permit is granted should be limited in duration.**

Staff believe there shall be a limit of one year of the special land use duration due to the historical nature of this use in a residential setting.

**O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.**

The proposed use will not change any exterior design of the existing building. The current building is the appropriate size for the subject property and in relation to the size, scale, and massing of the nearby houses.

**P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

**Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.**

The proposed use submitted to Staff has met all the requirements within the supplemental regulation Sec 4.2.58 set forth by the zoning ordinance.



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-008 KJ

**R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.**

The subject property is existing and does not exceed the height of nearby residential structures. The existing building would be similar to the building height abutting the property located in the immediate area. There will be no negative shadow impact on any adjoining lot.

**S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.**

The proposed use is compatible with the surrounding area and would not conflict with the overall objective of the comprehensive plan.

**STAFF RECOMMENDATION**

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval. Therefore, Staff recommends *Approval of SLUP-22-008 with the following condition:*

1. The maximum overnight occupancy of a short-term rental shall be limited to two (2) persons for each bedroom, plus three (3) additional persons. The number of bedrooms shall be based upon the DeKalb County Tax Assessor’s residential profile of the property, and other documents of record, as needed. In no case shall the maximum total occupancy for any dwelling unit exceed the occupancy limits permitted by the state and local fire and building codes.
2. Between the hours of 10 PM and 7 AM, the occupancy load of the unit may not exceed the maximum allowed number of overnight tenants.
3. Compliance with the Stonecrest Noise Ordinance.





## PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-008 KJ

4. All marketing and/or advertising for short-term rental units must contain information concerning the occupancy limit of the short-term rental unit, and the maximum parking available on the property. Advertising for more than the allowable occupancy or allowable parking is prima facie evidence of a violation of the city code. Further, failure to include such occupancy limits and maximum parking availability is prima facie evidence of a violation of the city code.
5. Short-term rental units must be properly maintained and regularly inspected by the owner or agent to ensure continued compliance with applicable property maintenance, zoning, building, health and life safety code provisions.
6. No external signage may be permitted on the property.
7. Parked vehicles:
  - Shall not be parked on the city right-of-way or along any roadways at any time; and
  - Shall be parked outdoors on the property only on designated hard surfaced areas with concrete or asphalt surfacing; and shall not be permitted outside such hard-surfaced areas (i.e., no parking in yards or neighbor's properties).
8. Capacity shall be subject to the approval of the Fire Marshal's Office
9. If, during the first one year period, a short-term rental unit becomes in violation of any zoning, building, health or life safety code provision, the special land use becomes void at the completion of one year.
10. The Special Land Use Permit is not transferable and will only be permitted for the owner/operator Charmain Hancock

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

**ORDINANCE NO. \_\_\_\_ - \_\_\_\_\_**

1 **AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,**  
2 **GEORGIA TO APPROVE SPECIAL LAND USE PERMIT 22-008 ON PARCEL NUMBER**  
3 **16 044 03 049 OF THE 4<sup>th</sup> DISTRICT TO ALLOW FOR SHORT-TERM RENTAL AT**  
4 **3434 BLECKLEY DRIVE; TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY;**  
5 **TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR**  
6 **AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL**  
7 **PUPOSES.**

8 **WHEREAS**, the City of Stonecrest has advertised and held a public hearing on October  
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10 13, 2022 in front of the Planning Commission regarding SLUP 22-008, the request for special land  
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12 use permit to operate a short- term rental with conditions at 3434 Bleckley Drive, Lithonia, Georgia  
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14 30038.; and

15  
16 **WHEREAS**, the City of Stonecrest has been vested with substantial powers, rights, and  
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18 functions to generally regulate the use of real property for the purposes of maintain health, morals,  
19  
20 safety, security, peace, and the general welfare of the City; and

21  
22 **WHEREAS**, the health, safety, and welfare of the citizens of the City will be positively  
23  
24 impacted by the adoption of this Ordinance.

25  
26 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL**  
27  
28 **OF THE CITY OF STONECREST, GEORGIA, as follows:**

29 **Section 1.** SLUP 22-008, a request for special land use permit to operate a short-term

30  
31 rental at 3434 Bleckley Way, Lithonia, Georgia 30038, satisfying Section 7.4.6 of Division 4 of  
32  
33 Article 7 in Chapter 27 of the City of Stonecrest Code of Ordinances, is **APPROVED WITH**

34  
35 **CONDITIONS** as follows:

- 36
- 37 1. The maximum overnight occupancy of a short-term rental shall be limited to two (2) persons
- 38 for each bedroom plus three (3) additional persons. The number of bedrooms shall be based
- 39 upon the DeKalb County Tax Assessor’s residential profile of the property, and other
- 40 documents of record, as needed. In no case shall the maximum total occupancy for any
- 41 dwelling unit exceed the occupancy limits permitted by the state and local fire and building
- 42 codes.
- 43 2. Between the hours of 10 PM and 7 AM, the occupancy load of the unit may not exceed the
- 44 maximum allowed number of overnight tenants.
- 45 3. Compliance with the Stonecrest Noise Ordinance.
- 46 4. All marketing and/or advertising for short-term rental units must contain information
- 47 concerning the occupancy limit of the short-term rental unit, and the maximum parking
- 48 available on the property. Advertising for more than the allowable occupancy or allowable
- 49 parking is prima facie evidence of a violation of the city code. Further, failure to include
- 50 such occupancy limits and maximum parking availability is prima facie evidence of a
- 51 violation of the city code.
- 52 5. Short-term rental units must be properly maintained and regularly inspected by the owner or
- 53 agent to ensure continued compliance with applicable property maintenance, zoning,
- 54 building, health and life safety code provisions.
- 55 6. No external signage may be permitted on the property.
- 56 7. Parked vehicles shall be provided in the driveway and not on-street parking.
- 57
  - Shall not be parked on the city right-of-way or along any roadways at any time; and
  - 58 • Shall be parked outdoors on the property only on designated hard surfaced areas with
  - 59 concrete or asphalt surfacing; and shall not be permitted outside such hard-surfaced
  - 60 areas (i.e., no parking in yards or neighbor's properties).
- 61 8. Capacity shall be subject to the approval of the Fire Marshal's Office
- 62 9. If, during the first one-year period, a short-term rental unit becomes in violation of any
- 63 zoning, building, health or life safety code provision, the special land use becomes void at
- 64 the completion of one year.
- 65 10. The Special Land Use Permit is not transferable and will only be permitted for the
- 66 owner/operator Charmain Hancock.

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68 **Section 2.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
69 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their  
70 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

71 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent

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73 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is  
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75 severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is  
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77 hereby further declared to be the intention of the Mayor and Council that, to the greatest extent  
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79 allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually  
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81 dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

82 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for  
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84 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the  
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86 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the  
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88 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the  
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90 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any  
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92 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to  
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94 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and  
95  
96 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and  
97  
98 effect.

99 **Section 3.** The City Clerk, with the concurrence of the City Attorney, is authorized to  
100  
101 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

102 **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby  
103  
104 expressly repealed.

105 **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of the  
106  
107 State of Georgia and the City of Stonecrest.

108 **Section 6.** It is the intention of the governing body, and it is hereby ordained that the  
109  
110 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of  
111  
112 Stonecrest, Georgia.

**SO ORDAINED AND EFFECTIVE this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**[SIGNATURES TO FOLLOW]**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**



## CITY COUNCIL AGENDA ITEM

---

**SUBJECT: SLUP-22-009 1805 Spring Hill Cove**

---

**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: Special Land Use Permit
- 

**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, January 23, 2023

---

**SUBMITTED BY:** Keedra T. Jackson, Deputy Director of Planning & Zoning

**PRESENTER:** Ray White, Director of Planning & Zoning

**PURPOSE:** To seek a Special Land Use Permit to operate a short-term rental.

**FACTS:** Applicant attended the CPIM on October 13<sup>th</sup> and Planning Commission on November 8<sup>th</sup>. The applicant is seeking to operate her home as a short-term rental.

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

**RECOMMENDED ACTION:** Decision only

**ATTACHMENTS:**

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - City of Stonecrest Zoning Ordinance SLUP 22-009
- (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 November 8th, 2022 / Mayor and City Council Meeting January 23<sup>rd</sup>, 2022**

---

**GENERAL INFORMATION**

**Petition Number:** SLUP 22-009

**Applicant:** Beris and Mevetta Henry

**Owner:** Beris and Mevetta Henry

**Project Location:** 1805 Springhill Cove, Stonecrest Ga 30058

**District:** Council District 1

**Acreage:** 0.4 Acres

**Existing Zoning:** Residential Small Lot (RSM)

**Proposed Zoning:** Residential Small Lot (RSM)

**Proposed Development/Request:** The applicant is requesting a Special Land Use Permit (SLUP) to operate a Personal Care Home for (4) residents within in an RSM (Residential Small Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41. B of Stonecrest Zoning Code.

**Staff Recommendations:** **Approval/Conditional**

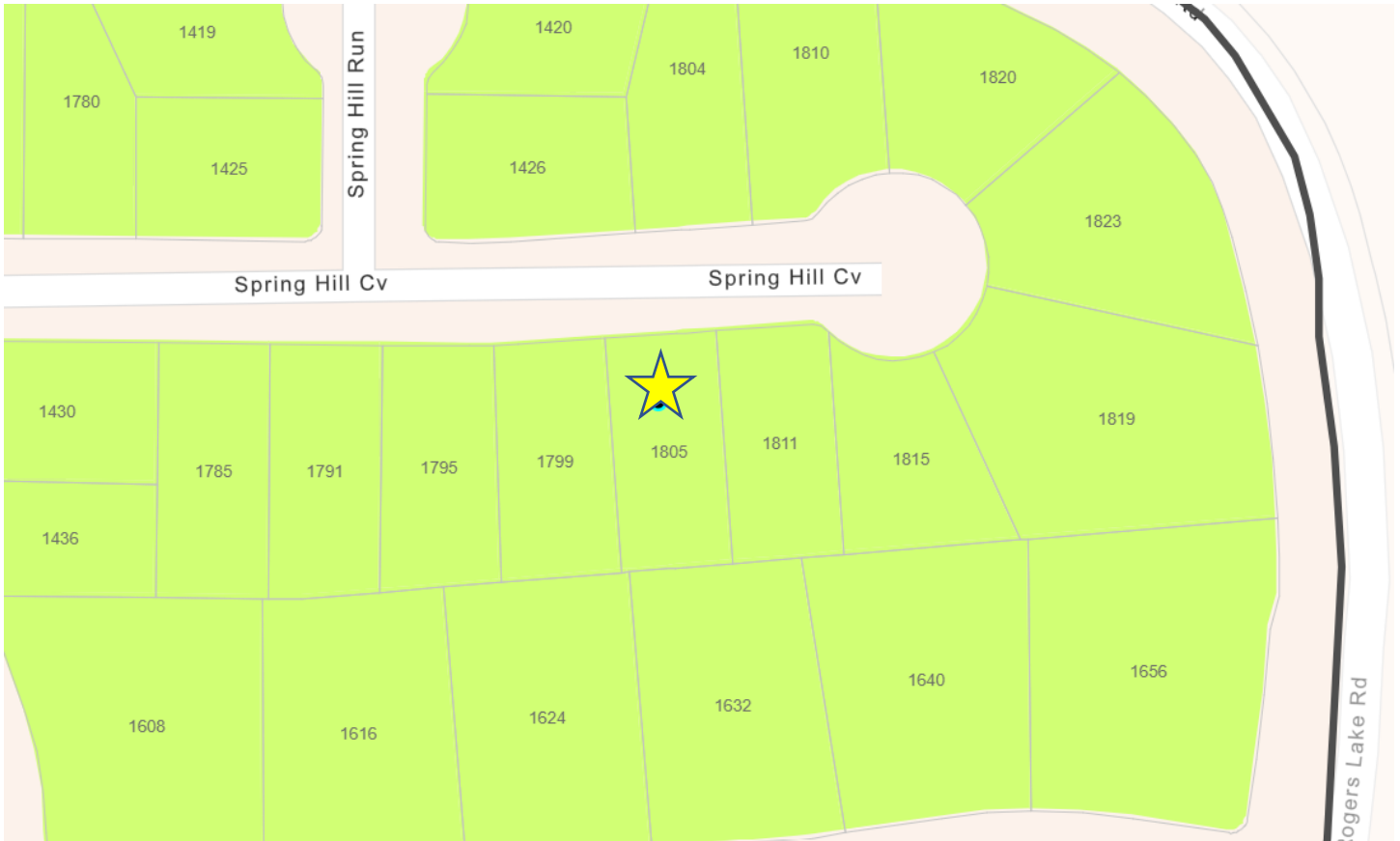
**Planning Commission:** **Approved with conditions on November 8, 2022**

**City Council:** **n/a**



**PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT**

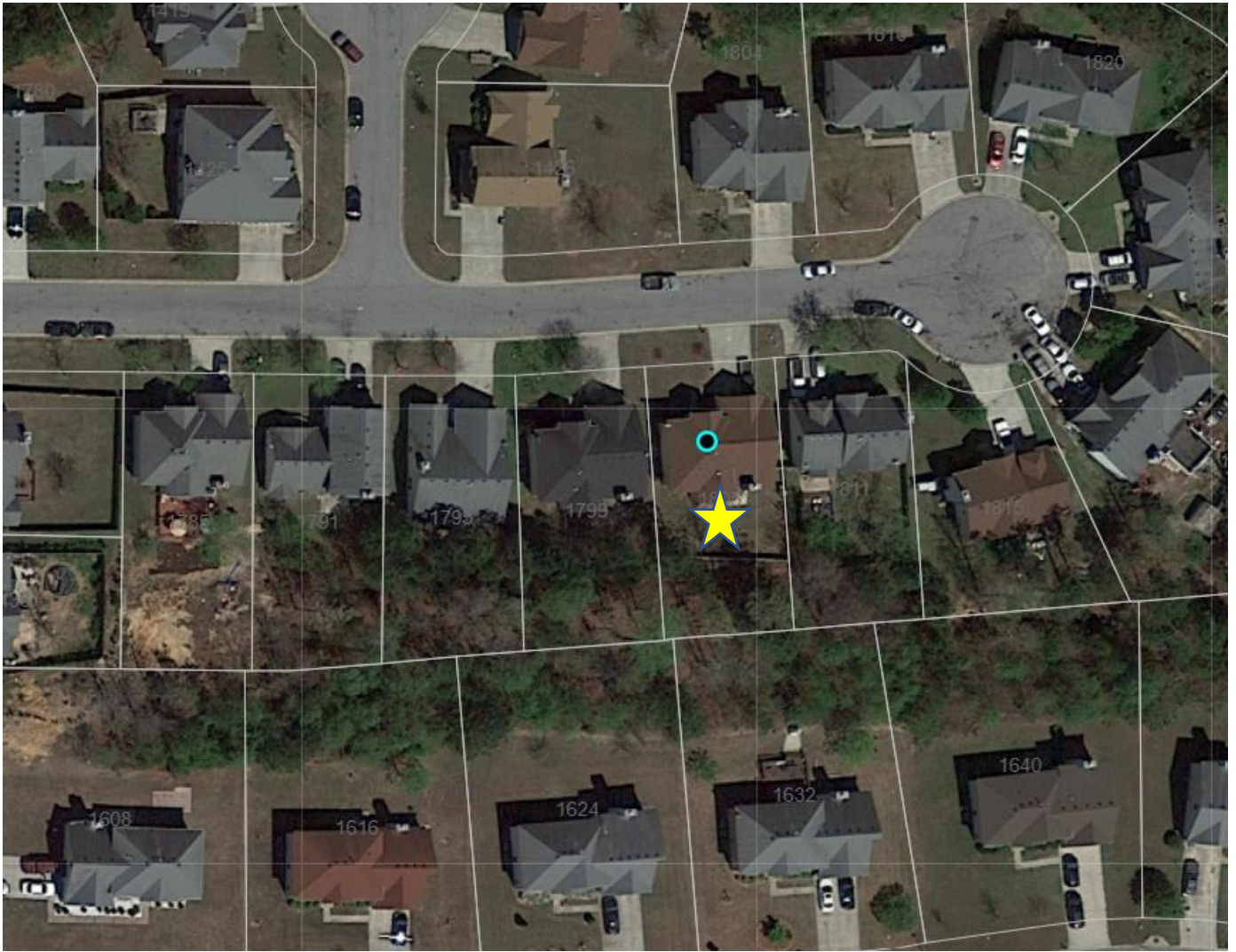
**Zoning Map**



**Subject Site**

**Aerial Map**

PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT



Subject Site

## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

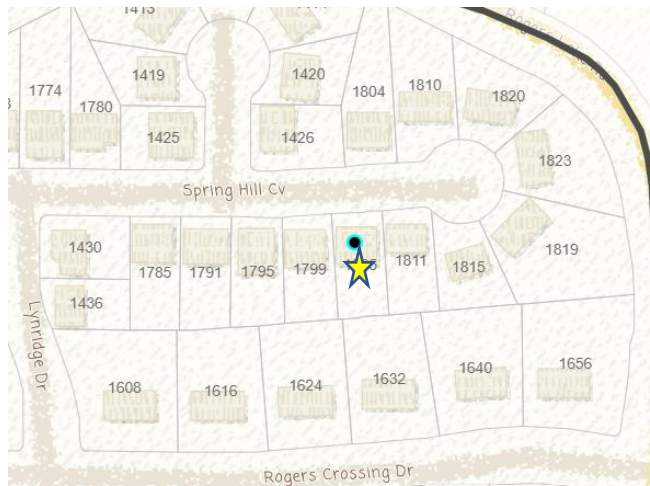
### PROJECT OVERVIEW

#### **Location**

The subject property, 1805 Springhill Cove. Access is available via the existing driveway on Springhill Cove. The subject property is surround by single-family homes.

#### **Background**

Currently, the property maintains its original zoning RSM (Small Lot) classification and the property has 2,200 square foot single story frame house that was built in 2003. The property can be characterized as even across the property.



## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

### Existing Elevations



### Special Land Use Permit Request

The applicant is requesting a Special Land Use Permit to operate a personal care home for four residents.

### Neighborhood Meeting

Property owners within 500 feet of the subject property were mailed notices of the proposed special land use permit application. The community meeting was held on September 13, 2022 via the [www.zoom.com](http://www.zoom.com) website. There were a few residents in attendance for the meeting. There was no one that spoke in opposition to the zoning petition.

### STANDARDS OF REVIEW

- A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.



## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

The 2,584 square foot residence meet the minimum standard square footage required to operate a personal care home. Per the Stonecrest Zoning Ordinance section 4.2.31 B. Personal Care Home D. The home must be 1800 sqft.

**B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The proposed personal care home for four or six persons are compatible with other single-family residences in Burlington. There will be no outside physical changes to the existing single-family structure or signage indicating the use is personal care home.

**C. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

The subject property is in an established single-family residential area; it appears that there are adequate public services, public facilities, and utilities to serve the proposed personal care home.

**D. Adequacy of the public street on which the use is proposed to be located and whether there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

Springhill Cove is classified as a local street; the Planning Staff believes there is little or no impact on the public streets or traffic in the area.

**E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.**

The traffic of the vehicles generated by the proposed use will not adversely impact existing land uses along access routes to the sites.

**F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.**

The existing residential structure on the site is accessed by vehicles via an existing curb cut with a driveway on Springhill Cove and emergency vehicles can access the site from the existing driveway.

**G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.**

The proposed use may not create an adverse impact upon any adjoining single-family land uses by reason of noise, smoke, odor, dust or vibration,

**H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.**



## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

Per the information submitted with the application, the applicant intends to run a personal care home for four residents and states that it will not create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

**I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

The operation of the personal care home of four residents do not affect the adjoining single-family residences. The site will operate basically as a single-family residence with the owner/operator is required to reside at the property.

**J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

The proposed use is otherwise consistent with the requirement of the zoning district.

**K. Whether the proposed use is consistent with the policies of the comprehensive plan.**

The proposed use is consistent with the comprehensive plan housing policy H-5, which states the city supports fair and equal access to housing for all persons, regardless of race, religion, ethnicity origin, age, household compositions or size, disability, marital status, sexual orientation, or economic circumstance.

**L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**

Transitional buffers are not required.

**M. Whether there is adequate provision of refuse and service areas.**

An adequate refuse area will be provided.

**N. Whether the length of time for which the special land use permit is granted should be limited in duration.**

Staff believes there is not a compelling reason to limit the special land use duration as the applicant appears to be the only personal care home within the vicinity.

**O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.**

The personal care home would be in an existing residential structure which is consistent in size, scale, and massing with adjacent surrounding single-family residence in the area.



## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

**P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

**Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.**

The proposed appears to satisfy the requirement contained within the supplemental regulations Sec.4.2.41 for the special land use permits for personal car homes.

**R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.**

Adjacent and surrounding residential properties are one-story frame structures which are the same as the existing residence on the site. There will be no negative shadow impact on any adjoining lot.

**S. Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.**

The proposed use will not result in an excessive proliferation of similar use in the subject character area.

**T. Whether the proposed use would be consistent with the needs of the neighborhood or the community, be compatible with the neighborhood, and would not conflict with the overall objective of the comprehensive plan.**

The proposed use would not conflict with the overall objective of the comprehensive plan, as the Stonecrest Comprehensive plan states the city will encourage the need for adequate housing.



## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

### RECOMMENDATION

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval and the supplemental regulations. Therefore, staff recommends **Approval/Conditions** of **SLUP-22-009**; However, if the Planning Commission choose to approve the application staff recommend the following conditions;

1. Limit the use of personal care home only to (4) persons.
2. Access shall be limited to the existing curb cut off Springhill Cove.
3. All refuse containers shall be screened from public view except during pick up.
4. No identification sign for personal care home shall be posted on the property.
5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
6. The applicants shall secure the necessary certification by the State of Georgia and the necessary business license, building permits and certification of occupancy for three people from the city of Stonecrest.
7. The Special Land Use Permit shall be issued to (operator) for the operation of a personal care home and shall not be transferable.



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

**ORDINANCE NO. \_\_\_\_ - \_\_\_\_\_**

1 **AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,**  
2 **GEORGIA TO APPROVE SPECIAL LAND USE PERMIT 22-009 IN DISTRICT ONE TO**  
3 **ALLOW FOR PERSONAL CARE HOME AT 1805 SPRINGHILL COVE; TO PROVIDE**  
4 **SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF**  
5 **CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE**  
6 **DATE; AND TO PROVIDE FOR OTHER LAWFUL PUPOSES.**

7  
8 **WHEREAS**, the City of Stonecrest (“City”) has advertised and held a public hearing on  
9 November  
10  
11 8, 2022 in front of the Planning Commission regarding SLUP 22-009, the request for special land  
12  
13 use permit to operate a personal care home for four (4) residents within the RSM (Residential  
14  
15 Small Lot) District with conditions at 1805 Spring Hill Cove, Lithonia, Georgia 30058.; and  
16

17 **WHEREAS**, the City of Stonecrest has been vested with substantial powers, rights, and  
18  
19 functions to generally regulate the use of real property for the purposes of maintain health, morals,  
20  
21 safety, security, peace, and the general welfare of the City; and  
22

23 **WHEREAS**, the health, safety, and welfare of the citizens of the City will be positively  
24  
25 impacted by the adoption of this Ordinance.  
26

27 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL**  
28  
29 **OF THE CITY OF STONECREST, GEORGIA**, as follows:  
30

31            **Section 1.** SLUP 22-009, a request for special land use permit to operate a personal care  
 32  
 33 home for four (4) residents within the RSM (Residential Small Lot) District, in accordance with  
 34  
 35 Chapter 27-Article 4.1 Use Table and Sections 4.2.31 and 4.2.41.B of the City of Stonecrest  
 36  
 37 Zoning Code at 1805 Spring Hill Cove, Lithonia, Georgia 30058, is **APPROVED WITH**  
 38  
 39 **CONDITIONS** as follows:

- 40
- 41            1. Limit the use of personal care home only to (4) persons.
- 42            2. Access shall be limited to the existing curb cut off Spring Hill Cove.
- 43            3. All refuse containers shall be screened from public view except during pick up.
- 44            4. No identification sign for personal care home shall be posted on the property.
- 45            5. Owner/Operator must live on the property according to the supplemental regulations cited
- 46            in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
- 47            6. The applicants shall secure the necessary certification by the State of Georgia and the
- 48            necessary business license, building permits and certification of occupancy for three people
- 49            from the city of Stonecrest.
- 50            7. The Special Land Use Permit shall be issued to (operator) for the operation of a personal
- 51            care home and shall not be transferable.
- 52

53            **Section 2.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
 54 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their  
 55 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

62 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for  
 63 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the  
 64  
 65  
 66  
 67  
 68

69 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the  
70 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the  
71 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any  
72 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to  
73 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and  
74 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and  
75 effect.  
76  
77  
78

79  
80 **Section 3.** The City Clerk, with the concurrence of the City Attorney, is authorized to  
81 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

82 **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby  
83 expressly repealed.  
84

85  
86 **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of the  
87 State of Georgia and the City of Stonecrest.  
88

89  
90 **Section 6.** It is the intention of the governing body, and it is hereby ordained that the  
91 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of  
92 Stonecrest, Georgia.  
93  
94

**SO ORDAINED AND EFFECTIVE this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**[SIGNATURES TO FOLLOW]**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**



## CITY COUNCIL AGENDA ITEM

---

**SUBJECT: SLUP-22-012 7173 Covington Highway**

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**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: **Special Land Use Permit**
- 

**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, January 23, 2023

---

**SUBMITTED BY:** Keedra T. Jackson, Deputy Director of Planning & Zoning

**PRESENTER:** Keedra T. Jackson

**PURPOSE:** The applicant is seeking a Special Land Use Permit to operate as a late-night establishment.

**FACTS:** The applicant, Dionne Robinson, went before the Planning Commission on January 3<sup>rd</sup>. The Planning Commission recommended to defer the zoning petition to allow more time for the applicant to meet with the community and staff. Staff asking City Council for a full deferral of the zoning petition back to Planning Commission to be reheard on February 7<sup>th</sup>. Staff will readvertise the case to successfully place back on the agenda

**OPTIONS:** Choose an item. [Click or tap here to enter text.](#)

**RECOMMENDED ACTION:** Full Deferral

**ATTACHMENTS:**

- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - City of Stonecrest Zoning Ordinance SLUP 22-012
- (3) Attachment 3 - [Click or tap here to enter text.](#)
- (4) Attachment 4 - [Click or tap here to enter text.](#)



## CITY COUNCIL AGENDA ITEM

---

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



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-012

**Planning Commission January 3, 2023 / Mayor and City Council Meeting February 27, 2023**

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**GENERAL INFORMATION**

<b>Petition Number:</b>	SLUP-22-012
<b>Applicant:</b>	Dionne Robinson
<b>Owner:</b>	Dionne Robinson
<b>Project Location:</b>	7173 Covington Highway
<b>District:</b>	District 2
<b>Acreage:</b>	1.06 acres
<b>Existing Zoning:</b>	M (Light Industrial) District
<b>Proposed Request:</b>	Special Land Use Permit to operate as a late-night establishment.
<b>Comprehensive Plan Community:</b>	Light Industrial
<b>Area Designation</b>	Light Industrial
<b>Staff Recommendations:</b>	<i>Denial</i>
<b>Planning Commission:</b>	<i>January 3<sup>rd</sup> a recommendation of deferral to allow more time to meet with the community and staff</i>
<b>City Council:</b>	N/A

**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-012

**Aerial Map**



**ZONING CASE: SLU-22-012**

ADDRESS: 7173 Covington Highway, STONECREST, GA 30058

PARCEL NUMBER: 16 121 03 009

CURRENT ZONING: M (Light Industrial)

FUTURE LAND USE: Light Industrial (LIND)



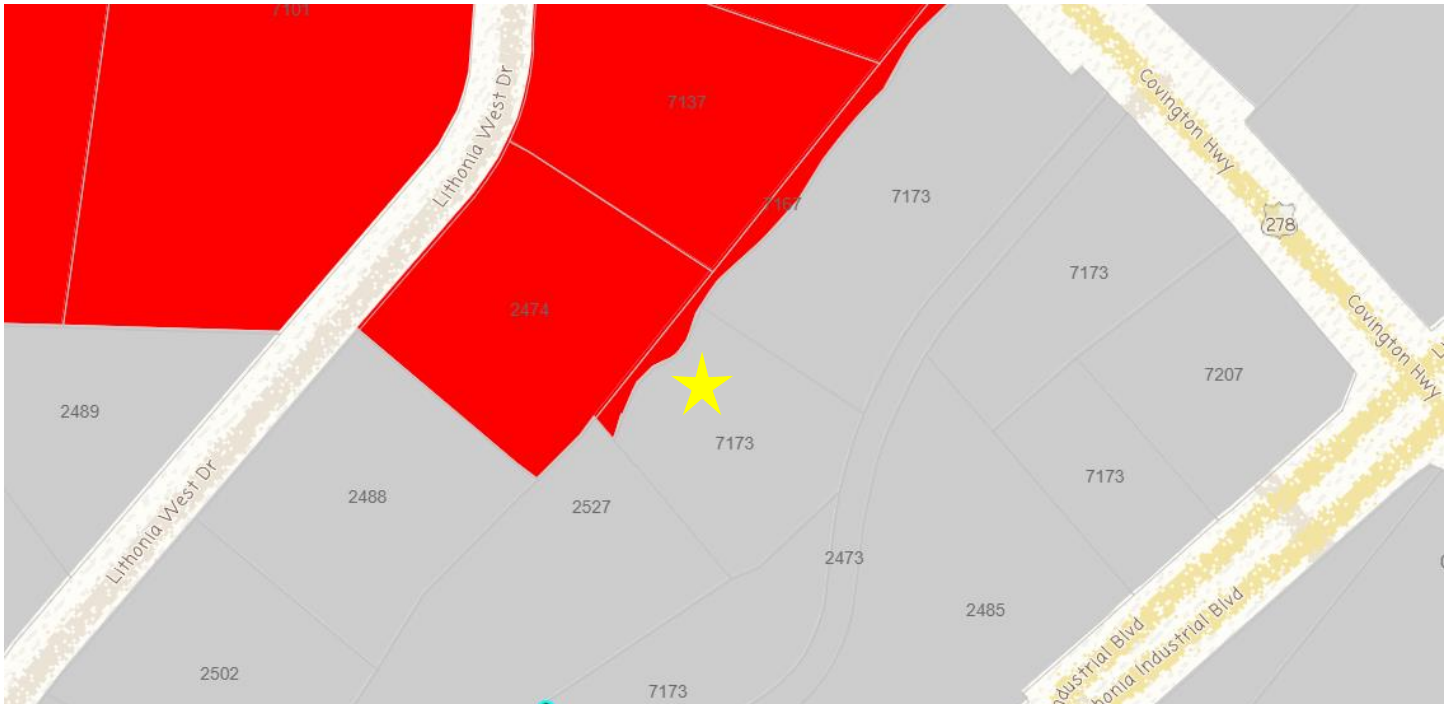
SUBJECT PROPERTY



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012

Zoning Map



**ZONING CASE: SLU-22-007**

ADDRESS: 7173 Covington Highway, STONECREST, GA 30058

PARCEL NUMBER: 16 121 03 009

CURRENT ZONING: M (Light Industrial)

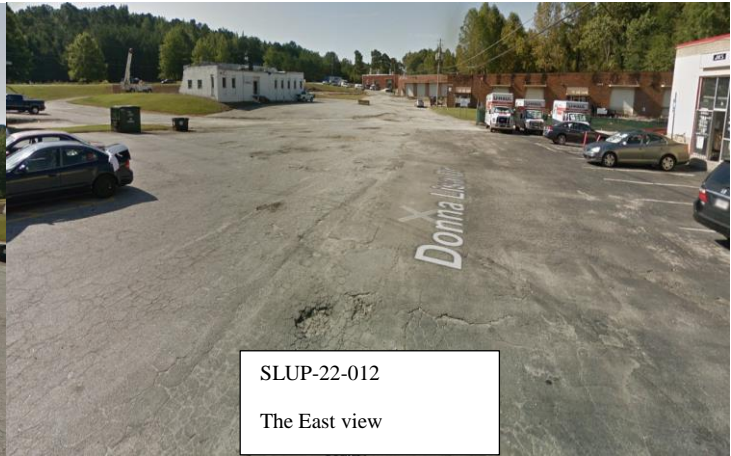
FUTURE LAND USE: Light Industrial



SUBJECT PROPERTY

**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-012



**PROJECT OVERVIEW**

**Location**

The subject property is located at 7173 Covington Highway in the Mini Mall Commercial Complex. The property is bounded by commercial, industrial and residential development on all sides.

**Description and Background**

The subject property was constructed in 1968 as a warehouse building.

The applicant received a business license for a Special Event facility on September 13, 2021. The intent of a Special Event Facility:

Special events facility means a building and/or premises used as a customary meeting or gathering place for personal social engagements or activities, where people assemble for parties, weddings, wedding receptions, reunions, birthday celebrations, other business purposes, or similar such uses for profit, in which food and beverages may be served to guests.

- 1.
- The term "special events facility" shall not include places of worship.

2.

*Small* special event facility shall mean assembly and entertainment uses with a seating or occupant capacity of no more than 100 persons.

3.

*Large* special event facility shall mean assembly and entertainment uses with a seating or occupant capacity of more than 100 persons

**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-012

**Interior Floor Plan**

The Robinsons have been cited several times by the City of Stonecrest Code Enforcement for violation of the business license permit and operation after 12:30 in “club” like manners. There has been reports of DJs, alcohol being served (no record of an alcohol permit) and noise complaints. After various complaints, staff advised the applicant to obtain a Special Land Use Permit for a late-night establishment due to the manner in which they were operating.

**Elevations**



PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT

SLUP-22-012



16 121 03 009 11/20/2016



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-012

**Public Participation**

Property owners within 1000 feet of subject property were mailed notices of the proposed rezoning on November 30th. The community meeting was held on December 13<sup>th</sup>, 2022, at 6:00 pm at via zoom.com. There were 25 public participants involved in the meeting. Seven (7) people spoke against the application. There were no community participants that spoke in favor. Many of the comments referenced intrusive loud music up until 6am, screeching tires, break-ins, vandalism, etc. Mrs. Robinson stated that she was “forced” by staff to become a late-night establishment and that she rather be a special event facility. Participants requested for staff to deny the request.

**CRITERIA OF REVIEW**

*Section 7.4.6 of the Stonecrest Zoning Ordinance lists nineteen factors to be considered in a technical review of a special land use permit completed by the Community Development Department and Planning Commission. Each criterion is listed with staff analysis.*

**A. Adequacy of the size of the site for the use contemplated and whether the adequate land area is available for the proposed use, including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The subject property was formerly used as an industrial warehouse. DeKalb County Tax Assessor’s office is reporting the size as approximately 35,400 sf. This may or may not be accurate. The last permit pulled for this site was in July of 2014. This property is not adequate land use for a late-night establishment.

**B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The proposed use of a late-night establishment is located adjacent to a residential, industrial, and commercial developments. The proposed use is not compatible with other properties and land uses in the district.

**C. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

There are adequate public services, public facilities, and utilities to serve the proposed use.

**D. Adequacy of the public street on which the use is proposed to be located and whether there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

The proposed use can produce a traffic-carrying capacity that is not ideal for an industrial park. It has been reported at the Community Planning Information Meeting that the noise, unduly traffic increase and crime has increased since the applicant has come into the area.

**E. Whether existing land uses located along access routes to the site will be adversely affected by the vehicles' character or the volume of traffic generated by the proposed use.**



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-012

The existing land use located along the access routes to the site can be adversely affected by the vehicles' character or the volume of traffic generated by the proposed use. The industrial park is designed to handle a low impact volume of traffic.

**F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.**

The site's existing industrial structures are accessed by vehicles via a concrete apron cut with driveway on Covington Highway. Emergency vehicles can access the site from the existing driveway. There is another ingress/egress point from Lithonia Industrial Boulevard.

**G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.**

The proposed use has created an adverse impact upon adjacent residential land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use. As noted above, many residential adjacent property owners have reported noise to Code Enforcement.

**H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.**

The proposed use has created an adverse impact upon any adjoining land use because of the hours of operation. The property is in an existing industrial development.

**I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.**

The proposed use will create an adverse impact upon any adjoining land use because of the manner of operation. The existing use is an unauthorized late-night establishment in an industrial park.

**J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.**

Stonecrest Zoning Ordinance was adopted from DeKalb County and is currently undergoing updates. When adopted, a special event facility and late-night establishment were permitted uses in a light industrial zoning district. The intent of light industrial is to provide areas for the establishment of businesses engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment and the sale and distribution of such goods, merchandise or equipment in locations so designated in the comprehensive plan. Future uses should adhere to the intent of the zoning district. The proposed use is not consistent with the zoning district classification requirement in which the use is proposed to be located.



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-012

**K. Whether the proposed use is consistent with the policies of the comprehensive plan.**

The proposed use of late-night establishment is a use not consistent with the policies of the comprehensive plan. Located in the Suburban character area, the character area policy states residential dwelling as an appropriate land use.

**L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**

The proposed use will not require a buffer zone and transitional buffer zone.

**M. Whether there is adequate provision of refuse and service areas.**

The owner/operator will provide an adequate refuse and service area.

**N. Whether the length of time for which the special land use permit is granted should be limited in duration.**

Staff believes there shall not be a grant of a special land use permit made due to the historical nature of this use in an industrial setting, adjacent to a residential community.

**O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.**

The proposed use will not change any exterior design of the existing building. The current building is the appropriate size for the subject property and in relation to the size, scale, and massing of the nearby houses.

**P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

**Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.**

The proposed use submitted to Staff has met all the requirements within the supplemental regulation Sec 4.2.58 set forth by the zoning ordinance.

**R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.**

The subject property is existing and does not exceed the height of nearby residential structures. The existing building would be similar to the building height abutting the property located in the immediate area. There may be negative impact on any adjoining lot.



**PLANNING COMMISSION / MAYOR AND CITY COUNCIL STAFF REPORT**

SLUP-22-012

- S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.**

The proposed use is not compatible with the surrounding area and would conflict with the overall objective of the comprehensive plan.

**STAFF RECOMMENDATION**

Staff recommends *A Full Deferral back to Planning Commission of SLUP-22-012.*



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

**ORDINANCE NO. \_\_\_\_ - \_\_\_\_\_**

1 **AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,**  
2 **GEORGIA TO APPROVE SPECIAL LAND USE PERMIT 22-012 ON PARCEL NUMBER**  
3 **16 121 03 009 OF THE 2<sup>nd</sup> DISTRICT TO ALLOW THE OPERATION OF A LATE-**  
4 **NIGHT ESTABLISHMENT AT 7173 COVINGTON HWY; TO PROVIDE**  
5 **SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF**  
6 **CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE**  
7 **DATE; AND TO PROVIDE FOR OTHER LAWFUL PUPOSES.**

8  
9 **WHEREAS,** the City of Stonecrest (“City”) has advertised and held a public hearing on  
10 January 3, 2023 in front of the City’s Planning Commission regarding SLUP 22-012, the request  
11 for special land use permit to allow the operation of a late-night establishment at 7173 Covington  
12 HWY, Stonecrest, Georgia 30058; and

13 **WHEREAS,** the City of Stonecrest has been vested with substantial powers, rights, and  
14 functions to generally regulate the use of real property for the purposes of maintain health, morals,  
15 safety, security, peace, and the general welfare of the City; and  
16  
17

18  
19 **WHEREAS,** the health, safety, and welfare of the citizens of the City will be positively  
20 impacted by the adoption of this Ordinance.  
21

22  
23 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL**

24  
25 **OF THE CITY OF STONECREST, GEORGIA, as follows:**  
26

27           **Section 1.** SLUP 22-012, a request for special land use permit to operate a short-term  
28  
29 rental at 7173 Covington HWY, Stonecrest, Georgia 30058, satisfying Section 7.4.6 of Division 4 of  
30  
31 Article 7 in Chapter 27 of the City of Stonecrest Code of Ordinances, is **APPROVED**.

32  
33           **Section 2.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
34 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their  
35 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

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

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

51  
52           **Section 3.** The City Clerk, with the concurrence of the City Attorney, is authorized to  
53  
54 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.  
55  
56  
57  
58  
59  
60  
61

62            **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby  
63  
64 expressly repealed.

66            **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of the  
67  
68 State of Georgia and the City of Stonecrest.

69  
70            **Section 6.** It is the intention of the governing body, and it is hereby ordained that the  
71  
72 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of  
73  
74 Stonecrest, Georgia.

**SO ORDAINED AND EFFECTIVE this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**[SIGNATURES TO FOLLOW]**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**



## CITY COUNCIL AGENDA ITEM

**SUBJECT: TMOD-22-012 SeaQuest**

**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, January 23, 2023

**SUBMITTED BY:** Keedra T. Jackson, Deputy Director of Planning & Zoning

**PRESENTER:** Keedra T. Jackson

**PURPOSE:** The following document includes recommended zoning language at the request of the City in response to an applicant, in the City of Stonecrest, who desires to operate an “Animal Exhibition” as defined by the USDA “Animal Welfare Act and Animal Welfare Regulations”.

**FACTS:** Seaquest is an aquarium/indoor and outdoor exhibition that came into existence under the adopted DeKalb County Zoning Ordinance that did not list this land-use as a permitted use. The operator reached out to staff periodically in 2022 to seek permission to add additional animals to the site. It was then discovered that they were not in conformity with our code. In hopes of maintaining the existing establishment, staff created a Text Amendment to bring the land use into compliance and to establish a future regulations for like and similar establishments.

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

**RECOMMENDED ACTION:** Approval

**ATTACHMENTS:**



## CITY COUNCIL AGENDA ITEM

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- (1) Attachment 1 - Staff Report
- (2) Attachment 2 - TMOD 22-012
- (3) Attachment 3 -
- (4) Attachment 4 -
- (5) Attachment 5 - [Click or tap here to enter text.](#)



PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

Planning Commission November 8th, 2022 / Mayor and City Council Meeting January 23rd, 2023

GENERAL INFORMATION

<b>Petition Number:</b>	TMOD- 22-012
<b>Applicant:</b>	Planning & Zoning Dep
<b>Project Location:</b>	C-1 and C-2 Zoning Districts
<b>Proposed Development/Request:</b>	The purpose is to create a conditional use for outdoor and indoor exhibition as defined by USDA to operate as an animal exhibition
<b>Staff Recommendations:</b>	Approval
<b>Planning Commission:</b>	Approval on November 8, 2022
<b>City Council:</b>	N/A

**Stonecrest Zoning – Indoor Animal Exhibition**

The following document includes recommended zoning language at the request of the City in response to an applicant, in the City of Stonecrest, who desires to operate an “Animal Exhibition” as defined by the USDA “Animal Welfare Act and Animal Welfare Regulations”.

Recommended Use: **Indoor Animal Exhibition**

Recommended Definition: An **Indoor Animal Exhibition** shall be any person, company or organization displaying any animals in an enclosed structure or building, to the public, for compensation, whether operating for profit or not. This use includes, but is not limited to indoor zoos, petting zoos, educational centers, carnivals, circuses and animal sanctuaries. This use shall not include retail pet stores, owners of domesticated household pets for personal enjoyment, county fairs, livestock shows, purebred dog or cat shows, or other similar events.

**Outdoor Animal Exhibition** means any sanctioned agricultural fair where animals are displayed on the exhibition grounds for physical contact with humans. It involves animal gathering organized for the purpose of comparing and judging the qualities of animals or presenting them for educational purposes and the main



## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

purpose of which is not to market “for sale”, but for exhibition; facilities shall include zoos, wildlife or fauna parks, aquariums and museums with live exhibits.

Recommended Zoning District: **C-1 and C-2** are the recommended districts as this is the current location where the applicant, SeaQuest, has been operating as an aquarium and desires to add additional animals other than aquarium-based wildlife.

Recommended Zoning Classification – **Conditional Use**. A special land use permit will allow the city to prescribe use standards to ensure appropriate operation and location and that it does not negatively impact surrounding businesses and residents.

Recommended Supplemental Regulations:

As it relates to **Indoor Animal Exhibitions**, such use shall:

1. Be conducted wholly within an enclosed building or structure.
2. Not produce noise, liquids or odors that affects surrounding businesses or property owners.
3. Be properly insured and provide proof of that insurance to the City.
4. Provide written permission from the owner or property manager of the building being occupied to the City.
5. Display a copy of all required valid licenses and permits in a prominent place on premises.
6. Be licensed and comply with all rules and regulations for a “Licensed Class C – Exhibitor” under the Animal Welfare Act (7 U.S.C. 2131 et seq.) and as regulated by the United States Department of Agriculture (USDA) regulations established in the most recent issue of “USDA Animal Care – Animal Welfare Act and Animal Welfare Regulations” (aka the USDA Blue Book). [https://www.aphis.usda.gov/animal\\_welfare/downloads/bluebook-ac-awa.pdf](https://www.aphis.usda.gov/animal_welfare/downloads/bluebook-ac-awa.pdf)).

This license shall be renewed prior to expiration and a copy provided to the City. Upon expiration or non-renewal of the license, the use shall immediately cease operations until a copy of a valid license is provided to the City.

7. The outdoor exhibition shall not exceed 5 hours of display.





## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

9. Comply with the Georgia The Department of Agriculture Animal Health Division regulations as established in the [Rules and Regulations of the State of GA Chapter 40-13](#).
10. Comply with applicable standards of the Georgia Department of Natural Resources (DNR) for the regulation of non-native species as per the regulated wild animals/exotics types (<https://gadnrle.org/exotics>), and restricted non-native species found in O.C.G.A. §27-5-4.
11. Comply with applicable regulations and standards for regulated native species as per the Georgia DNR's laws related to native wildlife (<https://gadnrle.org/laws-native-wildlife>). The Georgia DNR shall be notified prior to adding additional regulated species prior to acquisition. Proof of notification and approval may be required at any time by the City of Stonecrest to ensure compatibility.
12. Comply with the Georgia Department of Agriculture (GDA) regulations for general requirements for animal health and disease prevention, including following all requirements for importing animals from out of state, for intrastate transportation, vaccination and quarantine requirements, as applicable, as per the Rules and Regulations of the State of Georgia Chapter 40-13 (<http://rules.sos.state.ga.us/GAC/40-13>).
13. Comply with the Georgia Department of Public Health regulations pertaining to reporting rabies exposure.
14. Comply with DeKalb County requirements for "hazardous animals" as per DeKalb County Code of Ordinances, Chapter 5 – Animals ([https://library.municode.com/ga/dekalb\\_county/codes/code\\_of\\_ordinances?nodeId=CODECO\\_CH5AN](https://library.municode.com/ga/dekalb_county/codes/code_of_ordinances?nodeId=CODECO_CH5AN))

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

**ORDINANCE NO. \_\_\_\_ - \_\_\_\_\_**

1 **AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST,**  
2  
3 **GEORGIA, BY AMENDING DIVISION 1 (OVERVIEW OF USE CATEGORIES AND**  
4  
5 **USE TABLE) AND DIVISION 2 (SUPPLEMENTAL USE REGULATIONS) OF ARTICLE**  
6  
7 **4 (USE REGULATIONS) AND ARTICLE 9 (DEFINITIONS) WITHIN CHAPTER 27**  
8  
9 **(ZONING ORDINANCE); TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY;**  
10  
11 **TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR**  
12  
13 **AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL**  
14  
15 **PUPOSES.**

16  
17 **WHEREAS**, the governing body of the City of Stonecrest (“City”) is the Mayor and  
18  
19 City Council thereof; and

20  
21 **WHEREAS**, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of  
22  
23 Georgia authorizes the City to adopt plans and exercise the power of zoning; and

24  
25 **WHEREAS**, the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to  
26  
27 adopt ordinances relating to its property, affairs, and local government; and

28  
29 **WHEREAS**, the Mayor and City Council desire to amend Division 1 (Overview of Use Categories  
30  
31 and Use Table) and Division 2 (Supplemental Use Regulations) of Article 4 (Use Regulations) and  
32  
33 Article 9 (Definitions) within Chapter 27 (Zoning Ordinance); and

34  
35 **WHEREAS**, from time-to-time amendments may be proposed for public necessity,

36  
37 general welfare, or sound zoning practice that justify such action; and

38  
39 **WHEREAS**, the Director of Planning and Planning Commission recommend approval  
40  
41 based on the City Staff Report and said report is hereby incorporated by reference herein; and

42  
43 **WHEREAS**, a public hearing pursuant to the provisions of the Zoning Procedures Act has  
44  
45 been properly held prior to the adoption of this Ordinance; and

46  
47 **WHEREAS**, the health, safety, and welfare of the citizens of the City will be positively  
48  
49 impacted by the adoption of this Ordinance.

50  
51 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL**  
52  
53 **OF THE CITY OF STONECREST, GEORGIA**, and by the authority thereof:

54  
55 **Section 1.** The Code of Ordinances of the City of Stonecrest, Georgia is hereby amended by  
56  
57 amending Division 1 (Overview of Use Categories and Use Table) and Division 2 (Supplemental  
58  
59 Use Regulations) of Article 4 (Use Regulations) and Article 9 (Definitions) within Chapter 27  
60  
61 (Zoning Ordinance); within Chapter 27 (Zoning Ordinance); by adopting the provisions set forth  
62  
63 in Exhibit A attached hereto and made a part by reference.

64  
65 **Section 2.** That text added to current law appears in **red, bold and underlined**. Text  
66  
67 removed from current law appears as **red, bold and strikethrough**.

68  
69 **Section 3.** The preamble of this Ordinance shall be considered to be and is hereby  
70  
71 incorporated by reference as if fully set out herein.

72  
73 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
74  
75 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their  
76  
77 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

72 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent  
 73  
 74 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is  
 75  
 76 severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is  
 77  
 78 hereby further declared to be the intention of the Mayor and Council that, to the greatest extent  
 79  
 80 allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually  
 81  
 82 dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

83 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for  
 84  
 85 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the  
 86  
 87 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the  
 88  
 89 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the  
 90  
 91 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any  
 92  
 93 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to  
 94  
 95 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and  
 96  
 97 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and  
 98  
 99 effect.

100 **Section 5.** The City Clerk, with the concurrence of the City Attorney, is authorized to  
 101  
 102 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

103 **Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby  
 104  
 105 expressly repealed.

106 **Section 7.** The Ordinance shall be codified in a manner consistent with the laws of the  
 107  
 108 State of Georgia and the City of Stonecrest.

109 **Section 8.** It is the intention of the governing body, and it is hereby ordained that the  
 110  
 111 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of

110 Stonecrest, Georgia.

**ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**[SIGNATURES TO FOLLOW]**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**

**EXHIBIT A  
(SEE ATTACHED)**

112

113 CHAPTER 27: ZONING ORDINANCE  
 114 ARTICLE 4 – USE REGULATIONS  
 115 DIVISION 1. OVERVIEW OF USE CATEGORIES AND USE TABLE

116 **Sec. 4.1.3. Use table.**

117 Table 4.1 indicates the permitted uses within the base zoning districts. Even though a use is  
 118 listed as an allowable use within a particular base zoning district, additional use restrictions may  
 119 apply based on the applicable overlay zoning district requirements specified in article 3 of this  
 120 chapter, overlay districts.

121 A. The uses listed in Table 4.1 shall be permitted only within the zoning districts  
 122 identified, and no use shall be established and no structure associated with such use  
 123 shall be erected, structurally altered or enlarged unless the use is permitted as:

- 124 1. A permitted use (P);
- 125 2. A special use (SP) subject to the special land use permit application procedures  
 126 specified in article 7 of this chapter;
- 127 3. An administratively approved use (SA) subject to the special administrative permit  
 128 procedures specified in article 7 of this chapter;
- 129 4. An accessory use (PA) as regulated by this article 4 of this chapter. Table 4.1 does not  
 130 list all accessory uses but clarifies uses acceptable as accessory, though not typically  
 131 considered principal uses for the zoning classification.
- 132 5. Uses lawfully established prior to the effective date of this zoning ordinance.

133 B. Any use not listed in Table 4.1, below, or interpreted to be allowed by the director of  
 134 planning pursuant to section 4.1.2 is prohibited. Any applicant denied a permit to allow  
 135 a use of property in a zoning district other than as provided in this section may file an  
 136 appeal before the zoning board of appeals as provided in article 7 of this chapter.

137 C. If there is a conflict between Table 4.1 and the text of this chapter, the text shall  
 138 prevail.

139

INSTITUTIONAL/PUBLIC																				
Community Facilities																				
Aquarium /Indoor/ Outdoor Exhibition																		SP	SP	
Cemetery, columbarium, mausoleum	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP				P	P				P	✓



Club, order or lodge, fraternal, non-commercial														P	P			P	P	P	P			P	P	P	P			
Coliseum or stadium/ not associated with church or school																			P	P	P						S	P	P	✓
Cultural facilities								S	S	S				S	S			S	S	S	S			S	S	S	S			
Funeral home, mortuary														P	P			P	P					P	P	P	P			
Golf course or clubhouse, public or private	P	P	P	P	P	P	P				P			P	P			P	P	P									✓	
Government facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Hospital or accessory ambulance service														P	P												P	P		
Library or museum								P	P	P				P	P	P	P	P	P						P	P	P	P		
Neighborhood or subdivision clubhouse or amenities	P	P	P	P	P	P	P	P	P	P	P	P	P												P	P	P	P	✓	
Recreation club	S	S	S	S	S	S	S	S	S	S			S															S	✓	
	P	P	P	P	P	P	P	P	P	P			P														S	P		

Places of worship	S P	S P	S P	S P	S P	S P	S P	S P	S P	S P		S P	P	P	P	P	P	P	P	P	P	P	P	✓	
Recreation, outdoor																	P	P	P	P				✓	
Swimming pools, commercial	S P	S P	S P	S P	S P	S P	S P	S P	S P	S P	S P	S P	P	P		P	P	P	P			P	P	✓	
Tennis courts, swimming pools, play or recreation areas, community,	P a	P a	P a	P a	P a	P a	P a	P a	P a	P a	P a	P a	P	P		P	P	P	P			P	P	✓	
Use	R E	R L G	R - 1 0 0	R - 8 5	R - 7 5	R - 6 0	R S M	M R - 1	M R - 2	H R - 1 , 2 , 3	M H P	R N C	O I	O I T	N S	C - 1	C - 2	O D	M	M - 2	M U - 1	M U - 2	M U - 3	M U - 4 , 5	Se e S e c t i o n 4. 2

140

141

Table 4.1. Use Table

142

143

144 CHAPTER 27: ZONING ORDINANCE

145 ARTICLE 4 – USE REGULATIONS

146 DIVISION 2. SUPPLEMENTAL USE REGULATIONS

147 As it relates to Indoor Animal Exhibitions, such use shall:

- 148 **1. Be conducted wholly within an enclosed building or structure.**
- 149 **2. Not produce noise, liquids or odors that affects surrounding businesses or property**
- 150 **owners.**
- 151 **3. Be properly insured and provide proof of that insurance to the City.**

- 152 **4. Provide written permission from the owner or property manager of the building**
- 153 **being occupied to the City.**
- 154 **5. Display a copy of all required valid licenses and permits in a prominent place on**
- 155 **premises.**
- 156 **6. Be licensed and comply with all rules and regulations for a “Licensed Class C –**
- 157 **Exhibitor” under the Animal Welfare Act (7 U.S.C. 2131 et seq.) and as regulated**
- 158 **by the United States Department of Agriculture (USDA) regulations established in**
- 159 **the most recent issue of “USDA Animal Care – Animal Welfare Act and Animal**
- 160 **Welfare Regulations” (aka the USDA Blue Book).**
- 161 **[https://www.aphis.usda.gov/animal\\_welfare/downloads/bluebook-ac-awa.pdf](https://www.aphis.usda.gov/animal_welfare/downloads/bluebook-ac-awa.pdf)).**
- 162 **This license shall be renewed prior to expiration and a copy provided to the City.**
- 163 **Upon expiration or non-renewal of the license, the use shall immediately cease**
- 164 **operations until a copy of a valid license is provided to the City.**
- 165 **7. The outdoor exhibition shall not exceed 5 hours of display.**
- 166

167 CHAPTER 27: ZONING ORDINANCE

168 ARTICLE 9 – DEFINITIONS

169 **An Indoor Animal Exhibition means any person, company or organization displaying any**

170 **animals in an enclosed structure or building, to the public, for compensation, whether**

171 **operating for profit or not. This use includes, but is not limited to indoor zoos, petting zoos,**

172 **educational centers, carnivals, circuses and animal sanctuaries. This use shall not include**

173 **retail pet stores, owners of domesticated household pets for personal enjoyment, county**

174 **fairs, livestock shows, purebred dog or cat shows, or other similar events.**

175 **Outdoor Animal Exhibition means any sanctioned agricultural fair where animals are**

176 **displayed on the exhibition grounds for physical contact with humans. It involves**

177 **animal gathering organized for the purpose of comparing and judging the qualities**

178 **of animals or presenting them for educational purposes and the main purpose of which is**

179 **not to market “for sale”, but for exhibition; facilities shall include zoos, wildlife or fauna**

180 **parks, aquariums and museums with live exhibits.**

181

182

183

184

185

186

187

**EXHIBIT B**

188



## CITY COUNCIL AGENDA ITEM

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**SUBJECT: Parks LED Lighting Vendor Recommendation**

---

**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: **Recommendation**
- 

**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, January 23, 2023

---

**SUBMITTED BY:** Gia Scruggs, Acting City Manager

**PRESENTER:** Gia Scruggs, Acting City Manager

**PURPOSE:** [Click or tap here to enter text.](#)

**FACTS:** The Council allocated funding for Park Upgrades in the amount of \$900,000 in the initial allocation of the \$9.7 million in American Rescue Plan Act (ARPA) funds in the August 22, 2022 meeting. The Leisure services department identified the specifications for the light placement in various parks. Musco Sports Lighting was selected as the recommended vendor. Musco Sports Lighting is a vendor that can be used under the Sourcewell contract: 071619-MSL through a cooperative agreement in which the competitive process has already been established. The Finance Director is recommending this vendor for this purchase. The project cost is \$374,211.00. The funding source will be ARPA funds.

**OPTIONS:** Choose an item. [Click or tap here to enter text.](#)

**RECOMMENDED ACTION:** [Click or tap here to enter text.](#)

**ATTACHMENTS:**



## CITY COUNCIL AGENDA ITEM

---

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



## CITY COUNCIL AGENDA ITEM

---

**SUBJECT: URA Appointments**

---

**AGENDA SECTION:** *(check all that apply)*

- PRESENTATION     PUBLIC HEARING     CONSENT AGENDA     OLD BUSINESS  
 NEW BUSINESS     OTHER, PLEASE STATE: Appointments
- 

**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, January 23, 2023

---

**SUBMITTED BY:** George Turner, Mayor Pro Tem

**PRESENTER:** George Turner, Mayor Pro Tem

**PURPOSE:** To appoint members representing District 5 and Office of the Mayor to the Urban Redevelopment Agency.

**FACTS:**

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

**RECOMMENDED ACTION:** Click or tap here to enter text.

**ATTACHMENTS:**

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



## CITY COUNCIL AGENDA ITEM

---

**SUBJECT:** Committees, Boards, Commissions and Agency Membership

---

**AGENDA SECTION:** *(check all that apply)*

- PRESENTATION     PUBLIC HEARING     CONSENT AGENDA     OLD BUSINESS  
 NEW BUSINESS     OTHER, PLEASE STATE: Appointments
- 

**CATEGORY:** *(check all that apply)*

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

**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, January 23, 2023

---

**SUBMITTED BY:** Mayor Pro Tem George Turner

**PRESENTER:** Mayor Pro Tem George Turner

**PURPOSE:** Reconstitution of the City’s Committee memberships.

**FACTS:** Click or tap here to enter text.

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

**RECOMMENDED ACTION:** Click or tap here to enter text.

### ATTACHMENTS:

- (1) Attachment 1 - Committees, Boards, and Commissions Appointment Table
- (2) Attachment 2 - Resolutions of Reconstitution of Committees
- (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.



	Members	Appted by	Councilmember appointed	Appt. Date	Expiration	Overdue	Recomm
<b>Construction Board of Appeals</b>	Kerry Williams	At large		May-21	31-Dec-24	Hard stop	
Not district specific	Clara Black-Delay	At large		Sep-21	31-Dec-24	Hard stop	
	Michael Burdett	At large		Sep-21	31-Dec-24	Hard stop	
	Harden Lark	At large	All /we need to reappoint or replace now	Nov-21	Dec 31 2026	Hard stop	reappoint
	Gregory Maxwell	At large	All/ we need another nominee	Not Sworn	Dec 31 2026	vacant	
<b>SPLOST COMMITTEE</b>							
Not district specific	Rob Turner	council	All/ we need two council members	Jan-23	Dec 31 2023		reappoint
	Tammy Grimes	council	All/ we need two council members	Jan-23	Dec 31 2023		reappoint
	Darrell Taylor	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Elijah Ajayi	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Stephanie Shine	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Avema Louie	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Donna Priest Brown	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Jeff Martin	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	JW Eady	At large	new appointee	Jan-23	Dec 31 2023	*	add
<b>CID Committee</b>	Sarah Simpson	At large	new appointee	Jan-23	Dec 31 2023	*	add
Not district specific	Cornell McBride	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Malaika Wells	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Renee' Cail	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Greg Wright	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Tara Graves	Council		Jan-23	Dec 31 2023		reappoint
	Rob Turner	Council		Jan-23	Dec 31 2023		reappoint
	EXO William Smith	Staff		Jan-23	Dec 31 2023		
	EXO East Metro CID	IGA		Jan-23	Dec 31 2023		
<b>Parks and Rec. Advisory Committee</b>							
Not district specific	Tara Graves	Council	consider switching committee	Jan-23	Dec 31 2023		reappoint
	George Turner	Council	consider switching committee	Jan-23	Dec 31 2023	*	washington
	Beverly Cooper	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Jamil Salem	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Karyl Clayton	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	leisha Fuller	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Charnessa Grace	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Kennard Turner	at large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	*Revonda Cosby	ex-o	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		

<b>Finance Committee</b>							
Not district specific	Jennifer Moore	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Angela Ash	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Lakesha Swanson	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Dave Marcus	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Jassmin Cobble	Council		Jan-23	Dec 31 2023		reappoint
	George Turner	Council		Jan-23	Dec 31 2023		reappoint
	*City Manager	Standing		Jan-23	Dec 31 2023		
	*City Finance Director	Standing		Jan-23	Dec 31 2023		
	*Internal Auditor	Standing		Jan-23	Dec 31 2023		
	Tammy Grimes		consider switching committee	Jan-23		*	reappoint
<b>Transportation Committee</b>							
Not district specific	Erica Williams	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Alan Burnette	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	JW Eady	At large	consider switching committee	Jan-23	Dec 31 2023	*	switched
	Bernard Knight	At large	Switched	Jan-23	Dec 31 2023		Joe Coleman
	Calvin Lawrence	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Ahli Moore	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023	*	Replace
	Kendra Price	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Darien Senior	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Councilmember George Turner		Consider switching committee	Jan-23	Dec 31 2023		
	Councilmember Tammy Grimes		Consider switching committee	Jan-23	Dec 31 2023		
	Joe Coleman		new appointee	Jan-23	Dec 31 2023		
<b>Zoning Board of Appeals</b>							
DISTRICT SPECIFIC	Kelly Ross	D1	District 1 needs to reappoint or replace	Jan-23	Dec 31 2024		reappoint
	Michael Armstrong	D4	District 4 needs to reappoint or replace	Jan-23	Dec 31 2024		reappoint
	Sonja Hicks	D3	District 3 needs to reappoint or replace	Jan-23	Dec 31 2024	*	reappoint
	Shedrick Harris	D5	District 5 needs to reappoint or replace	Jan-23	Dec 31 2024	*	reappoint
	Gwendolyn Russell	D2	District 2 needs to reappoint or replace	Jan-23	Dec 31 2024		reappoint
<b>Planning Commission</b>							
DISTRICT SPECIFIC	Eric Hubbard	D3	District 3 needs to reappoint or replace	Jan-23	Dec 31 2024		reappoint
	Stefanie Brown	D1	District 1 needs to reappoint or replace	Jan-23	Dec 31 2024		reappoint
	Pearl Hollis	D4	District 4 needs to reappoint or replace	Jan-23	Dec 31 2024		reappoint
	Lemuel Hawkin	D5	District 5 needs to reappoint or replace	Jan-23	Dec 31 2024		reappoint
	Joyce Walker	D2	District 2 needs to reappoint or replace	Jan-23	Dec 31 2024		reappoint

<b>Eco Development Steering Committee</b>							
	William Smith	Staff					
	Joe Coleman	At large	New appointee	Jan-23	Dec 31 2023	*	Bernard Knight
	Revonda Cosby	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Andrew Wells	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Thad Mayfield	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Dave Marcus	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Dorian DeBarr	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Chris Seabrook	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Jetha Wagner	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Minal Patel	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Sid Barron	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
	Shelbia Jackson	At large	All /we need to reappoint or replace now	Jan-23	Dec 31 2023		reappoint
<b>Ethics Board</b>	?		Revisit				
<b>Alcohol Review board</b>	?		Revisit				
<b>Film and Entertainment Commission</b>			Revisit structure				
Not district specific	Patrece Dechabert	At large					
	Verda Watson	At large					
	Victoria Turner	At large					
	Stacey Thibodeaux	At large					
	Mack Calhoun	At large					
	Sandra Lewis Glass	At large					
	Cassandra Wilson	At large					
	Leslie Green	At large					
	Matt Hampton	At large					
	Rob Turner	council					
	Jazzmin Cobble	council					
<b>Urban Redevelopment Agency</b>							
DISTRICT SPECIFIC							
	Tara Graves	D1			Dec 31 2023		
	Rob Turner	D2			Dec 31 2023		
	Alecia Washington	D3			Dec 31 2024		

	George Turner	D4			Dec 31 2024		
	Tammy Grimes	D5	All /we need to reappoint or replace		Dec 31 2025		reappoint
	Jazzman Cobble	Mayor	All /we need to reappoint or replace		Dec 31 2025		reappoint
	Fourth Year adjustment				Dec 31 2026		
		D1			Dec 31 2027		
		D2			Dec 31 2027		
	Mayor's recommendation for chairperson		Goes to URA for approval		Annually		
<b>Housing Authority</b>	Consider action in 2023						
<b>Development Authority</b>	Consider action in 2023						

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

**RESOLUTION NO. \_\_\_\_ - \_\_\_\_\_**

**A RESOLUTION TO AUTHORIZE THE RECONSTITUTION OF THE SPLOST OVERSIGHT COMMITTEE OF THE CITY OF STONECREST, GEORGIA AND APPOINT THE INITIAL MEMBERS.**

**WHEREAS**, the City of Stonecrest (“City”) was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum; and

**WHEREAS**, Senate Bill 208 provided a charter for the City of Stonecrest (the “City Charter”); and

**WHEREAS**, Senate Bill 21, passed in the Georgia General Assembly during the 2021 Session and subsequently signed into law on April 2, 2021; and

**WHEREAS**, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions and rights necessary or desirable to promote the general welfare of the City and its inhabitants; and

**WHEREAS**, Section 7 of Senate Bill 21 amended Section 2.11 to read as follows:  
\*(c)(1) The city council shall have the power by ordinance or resolution to establish oversight, policy, and standing committees of the council; and

**WHEREAS**, the citizens of DeKalb County voted on November 7, 2017, to impose a Special Purpose Local Option Sales Tax (SPLOST) to be spent on capital improvements for the use and benefit of DeKalb County and qualified municipalities within DeKalb County; and

**WHEREAS**, the City Council of the City of Stonecrest have determined that it was in the best interest of the City and its citizens to establish an oversight committee known as the SPLOST Oversight Committee of the City of Stonecrest, Georgia, for the purpose of providing

transparency and accountability to the citizens of the City of Stonecrest concerning the use of SPLOST funds; and

**WHEREAS**, the City desires to reconstitute the SPLOST Oversight Committee for 2023.

**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows:**

**SECTION I: ESTABLISHMENT**

**ESTABLISHMENT OF THE SPLOST ADVISORY COMMITTEE AND AUTHORIZATION**

The Mayor and City Council of the City of Stonecrest affirm that the Special Purpose Local Option Sales Tax is the City's opportunity to affect substantive improvements that connect our citizens and starts to form our City into one defined by the collective pursuit of a high quality of life for all residents. To further help accomplish this vision, there is hereby established the SPLOST Oversight Committee of the City of Stonecrest, Georgia (hereinafter referred to as the "SPLOST Committee").

**SECTION II: MISSION AND DUTIES**

The mission of the SPLOST Committee is to provide transparency and accountability to the citizens of the City of Stonecrest from the 2017 SPLOST. The purpose of the SPLOST Committee is to: provide as necessary and appropriate advice, reviews, reports, and recommendations to City Council on SPLOST projects. Members must attend two-thirds of the SPLOST Committee meetings in a calendar year. Failure to do so warrants removal from the SPLOST Committee.

**SECTION III: MEMBERSHIP**

The SPLOST Committee shall be composed of ten (10) members, two (2) of which shall be Councilmembers appointed by the City Council to serve as members of the Committee. The City

Council shall establish qualifications for members of the SPLOST Committee except that each SPLOST Committee member must be either a resident of the City or a member of the City Council. Each committee person shall be nominated and approved by the City Council. Should the committee member move out of the City, he/she may remain active until the City Council appoints his/her replacement. Members must attend two-thirds (2/3) of the SPLOST Committee meetings in a calendar year. Failure to do so warrants removal from the Committee.

#### **SECTION IV: TERMS**

Each member shall serve for a term of one (1) year. Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made. Any member may be removed with or without cause by the City Council.

#### **SECTION V: COMPENSATION**

SPLOST Committee members will serve without compensation.

#### **SECTION VI: QUORUM**

A majority of the actual number of SPLOST Committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

#### **SECTION VII: GOVERNANCE**

The SPLOST Committee shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the City Council. The SPLOST Committee shall set its own meeting schedule and establish the meeting agendas. The date and time of each meeting as well as agenda items to be considered shall be publicized in the same manner as meetings of the City Council. All meetings shall be open to the public and all records maintained by the SPLOST Committee shall





1. Councilmember Rob Turner
2. Councilmember Tammy Grimes
3. Darrell Taylor Member
4. Ehjah Ajayi Member
5. Stephanie Shine Member
6. Avema Louie Member
7. Donna Priest Brown Member
8. Jeff Martin Member
9. JW Eady Member
- 10.

**SECTION IX: ENFORCEMENT AND SEVERABILITY**

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution 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 Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. 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 Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution

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 sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

**SECTION X REPEAL OF CONFLICTING RESOLUTIONS**

All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

**SECTION XI EFFECTIVE DATE OF RESOLUTION**

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

**SO RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.**

**[SIGNATURES ON FOLLOWING PAGE]**

**CITY OF STONECREST, GEORGIA**

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**Jazzmin Cobble, Mayor**

**ATTEST:**

---

**City Clerk**

**APPROVED AS TO FORM:**

---

**City Attorney**

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

**RESOLUTION NO. \_\_\_\_ - \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE RECONSTITUTION OF THE STONECREST  
CID ADVISORY COMMITTEE OF THE CITY OF STONECREST, GEORGIA AND  
APPOINTING MEMBERS.**

**WHEREAS**, the City of Stonecrest (“City”) was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum; and

**WHEREAS**, Senate Bill 208 provided a charter for the City of Stonecrest (the “City Charter”); and

**WHEREAS**, Senate Bill 21, passed in the Georgia General Assembly during the 2021 Session and subsequently signed into law on April 2, 2021; and

**WHEREAS**, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions and rights necessary or desirable to promote the general welfare of the City and its inhabitants; and

**WHEREAS**, Section 7 of Senate Bill 21 amended Section 2.11 to read as follows:  
\*(c)(1) The city council shall have the power by ordinance or resolution to establish oversight, policy, and standing committees of the council; and

**WHEREAS**, the City Council of the City of Stonecrest determined that it was in the best interest of the City and its citizens to establish the CID Advisory Committee of the City of Stonecrest, Georgia, for the purpose of providing a forum for discussing best practices and to advise the Mayor and City Council regarding best practices with respect to strategies for interaction with the existing East Metro CID jurisdiction and the proposed formation of the

Stonecrest Lithonia Industrial Park Community Improvement District or other such Districts within the City; and

**WHEREAS**, the City desires to reconstitute the Stonecrest CID Advisory Committee for 2023.

**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows:**

**SECTION I: ESTABLISHMENT**

**ESTABLISHMENT OF THE CID ADVISORY COMMITTEE AND AUTHORIZATION:** In response to the City of Stonecrest's community values and changing needs of the City's population, Mayor and Council hereby create a CID Advisory Committee to advise and engage with the business and industrial community for such duration as Mayor and Council may desire (hereinafter referred to as the "CID Committee"). Creating this Committee is an opportunity for the City to affect substantive improvements to the City's commercial areas and to transform our City into one defined by the collective pursuit of a high quality of life for all residents. To further help accomplish this vision, there is hereby established the Stonecrest CID Advisory Committee of the City of Stonecrest, Georgia (hereinafter referred to as the "CID Advisory Committee").

**SECTION II: MISSION AND DUTIES**

(a) The mission of the CID Advisory Committee is to include the citizens of the City of Stonecrest to address the need of improving and sustaining the City's commercial areas.

(b) The CID Advisory Committee is a recommending body whose purpose is to meet on a regular basis to investigate, listen, and contribute ideas from City residents, business owners, conservation groups, and others with an interest in the industrial and commercial facilities within the City.

(c) It is intended that the meetings of the CID Advisory Committee shall provide a forum for the discussion of the subjects that are pertinent for the time and result in ideas to maintain a well-rounded and established commercial property ecosystem within the City. The CID Advisory Committee members, individually and collectively, are expected to:

1. Express the ideas, concerns, and interests of the residents and other entities with an interest in the City's industrial parks and commercial areas regularly to the City Council.
2. Enhance discussion by researching innovative ideas applicable to revitalization, community longevity and sustainable principals.
3. Promote an atmosphere of respect and fairness.
4. Strive to reach consensus within the Committee.
5. To provide as necessary and appropriate advice, reviews, reports and recommendations to the City Council.

(d) Further, this committee will assist City Council in identifying an appropriate member to serve on the East Metro CID board, or to engage with the member so named, in order to:

1. Finalize an intergovernmental agreement with the East Metro CID for City Council Consideration.
2. Maintain and improve quality of life for the community through shared benefits with the East Metro CID.

### **SECTION III: MEMBERSHIP**

The CID Advisory Committee shall be composed of SEVEN (7) members, two (2) of which shall be Councilmembers appointed by the City Council. The City Council shall establish qualifications

for members of the CID Advisory Committee except that each CID Advisory Committee member must be either a resident of the City or an owner or officer of a business domiciled in the City. Each committee person shall be nominated and approved by the City Council. Should the committee member move out of the City or no longer be an owner or an officer of a business domiciled in the City, he/she may remain active until the City Council appoints his/her replacement. Members must attend two-thirds (2/3) of the CID Advisory Committee meetings in a calendar year. Failure to do so warrants removal from the Committee.

#### **SECTION IV: TERMS**

Each member shall serve for a term of one (1) year. Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made. Any member may be removed with or without for cause by the City Council.

#### **SECTION V: COMPENSATION**

CID Advisory Committee members will serve without compensation. Reasonable expenses for travel may be reimbursed pursuant to a policy to be established by the City Manager and approved by the City Council.

#### **SECTION VI: QUORUM**

A majority of the actual number of CID Advisory Committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

#### **SECTION VII: GOVERNANCE**

The CID Advisory Committee shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the City Council. The CID Advisory Committee shall meet at

least four times annually, having one meeting in each quarter of the calendar year and establish the meeting agendas. The date and time of each meeting as well as agenda items to be considered shall be publicized in the same manner as meetings of the City Council. All meetings shall be open to the public and all records maintained by the CID Advisory Committee shall be public records unless expressly exempted by a provision of the Georgia Open Records Act. The CID Advisory Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall maintain records of its examinations and other official actions all of which shall be filed in the office of the City Clerk. Copies of the minutes shall be sent to the Mayor and each member of the City Council. At each meeting, the public shall be granted time for public comment. The CID Advisory Committee shall elect a chairman to conduct meetings and a vice chairman to conduct meetings in the absence of the chairman. Elections shall be held at the first regular meeting of the calendar year. The chairman shall serve for one (1) year or until re-elected or a successor is elected. The vice chairman shall serve for one (1) year or until re-elected or a successor is elected. The Committee shall select one of its members to serve as the secretary.

**SECTION VIII: MEMBERS**

The current members of the Stonecrest CID Advisory Committee are as follows:

- |                             |              |              |
|-----------------------------|--------------|--------------|
| 1. Renee' Gail              | Vice Chair   | District ___ |
| 2. Cornell McBride          | Secretary    | District ___ |
| 3. Lance Watson             | Member       | District ___ |
| 4. Malaika Wells            | Member       | District ___ |
| 5. Greg Wright              | Chair Person | District ___ |
| 6. Eric Hubbard             | Member       | District ___ |
| 7. Councilmember Rob Turner | Council      |              |



- 8. Councilmember Tara Graves      Council

The 2023 members of the Stonecrest CID Advisory Committee are as follows:

- 1. Sarah Simpson    Member
- 2. Cornell McBride Member
- 3. Malaika Wells    Member
- 4. Renee' Cali      Member
- 5. Greg Wright      Member
- 6. Councilmember Tara Graves
- 7. Councilmember Rob Turner

**SECTION IX: ENFORCEMENT AND SEVERABILITY**

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution 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 Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. 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 Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution

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 sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

**SECTION X REPEAL OF CONFLICTING RESOLUTIONS**

All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

**SECTION XI EFFECTIVE DATE OF RESOLUTION**

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

**SO RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.**

**[SIGNATURES CONTAINED ON NEXT PAGE]**

**CITY OF STONECREST, GEORGIA**

---

**Jazzmin Cobble, Mayor**

**ATTEST:**

---

**City Clerk**

**APPROVED AS TO FORM:**

---

**City Attorney**

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

**RESOLUTION NO. \_\_\_\_\_ - \_\_\_\_\_**

**A RESOLUTION TO AUTHORIZE THE RECONSTITUTION OF THE PARKS AND RECREATION CITIZEN ADVISORY COMMITTEE OF THE CITY OF STONECREST, GEORGIA AND APPOINT MEMBERS.**

**WHEREAS**, the City of Stonecrest (“City”) was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum; and

**WHEREAS**, Senate Bill 208 provided a charter for the City of Stonecrest (the “City Charter”); and

**WHEREAS**, Senate Bill 21, passed in the Georgia General Assembly during the 2021 Session and subsequently signed into law on April 2, 2021; and

**WHEREAS**, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions and rights necessary or desirable to promote the general welfare of the City and its inhabitants; and

**WHEREAS**, Section 7 of Senate Bill 21 amended Section 2.11 to read as follows:  
\*(c)(1) The city council shall have the power by ordinance or resolution to establish oversight, policy, and standing committees of the council; and

**WHEREAS**, the City Council of the City of Stonecrest determined that it was in the best interest of the City and its citizens to establish the Parks Advisory Committee of the City of Stonecrest, Georgia, for the purpose of identifying and improving the City’s parks and recreational facilities, to provide a forum for discussing best practices and to advise the Parks and Recreation Director regarding best practices with respect to strategies for sustainable

development, environmental conservation, planning and community longevity as it relates to the City’s parks and recreational facilities; and

**WHEREAS**, the City desires to reconstitute the Parks Advisory Committee for 2023.

**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows:**

**SECTION I: ESTABLISHMENT**

**ESTABLISHMENT OF THE PARKS ADVISORY COMMITTEE AND AUTHORIZATION:**

The City Council of the City of Stonecrest affirms that beautification and improvements to the parks and recreation facilities across the City have become an immediate concern. The continuation of this committee is an opportunity for the City to affect substantive improvements to the City’s recreation facilities and to transform our City into one defined by the collective pursuit of a high quality of life for all residents. To further help accomplish this vision, there is hereby - established the Parks Advisory Committee of the City of Stonecrest, Georgia (hereinafter referred toas the “Parks Advisory Committee”).

**SECTION II: MISSION AND DUTIES**

The mission of the Parks Advisory Committee is to address the immediate need of improving City Parks by including the citizens in the City of Stonecrest in an advisory capacity. The purpose of the Parks Advisory Committee is to:

- 1. Provide as necessary and appropriate advice, reviews, reports and recommendations to the public, City Manager, Mayor, Mayor Pro Tempore and City Council on park and recreation facility conditions and areas of immediate concern;
- 2. Ensure that lists of projects are equitable, appropriately prioritized, and well distributed throughout the City;

3. Ensure that each district of the City is represented and has the opportunity to advocate for cleaner and improved facilities.

4. Evaluate and make recommendations for the need of additional funding and construction of trails in the city of Stonecrest.

5. Evaluate and make recommendations for the need of additional studies and creation of paths in the city of Stonecrest.

**SECTION III: MEMBERSHIP**

The Parks Advisory Committee shall be composed of nine (9) members, two (2) of which shall be Councilmembers appointed by the City Council to serve as members of the Committee. The City Council shall establish qualifications for members of the Parks Advisory Committee except that each Parks Advisory Committee member must be either a resident of the City or an owner or officer of a business domiciled in the City. Each committee person shall be nominated and approved by the City Council. Should the committee member move out of the City or no longer be an owner or an officer of a business domiciled in the City, he/she may remain active until the City Council appoints his/her replacement. Members must attend two-thirds (2/3) of the Parks and Recreation Advisory Committee meetings in a calendar year. Failure to do so warrants removal from the Committee.

**SECTION IV: TERMS**

Each member shall serve for a term of one (1) year. Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made. Any member may be removed with or without **for** cause by the City Council.

### **SECTION V: COMPENSATION**

Parks Advisory Committee members will serve without compensation. Reasonable expenses for travel and Committee related expenses may be reimbursed pursuant to a policy to be established by the City Manager and approved by the City Council.

### **SECTION VI: QUORUM**

A majority of the actual number of Parks Advisory Committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

### **SECTION VII: GOVERNANCE**

The Parks Advisory Committee shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the City Council. The Parks Advisory Committee shall set its own meeting schedule and establish the meeting agendas. The date and time of each meeting as well as agenda items to be considered shall be publicized in the same manner as meetings of the City Council. All meetings shall be open to the public and all records maintained by the Parks Advisory Committee shall be public records unless expressly exempted by a provision of the Georgia Open Records Act. The Parks Advisory Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall maintain records of its examinations and other official actions all of which shall be filed in the office of the City Clerk. Copies of the minutes shall be sent to the Mayor and each member of the City Council. At each meeting, the public shall be granted time for public comment. The Parks Advisory Committee shall elect a chairman to conduct meetings and a vice chairman to conduct meetings in the absence of the chairman. Elections shall be held at the first regular meeting of the calendar year. The chairman shall serve for one (1) year or until re-elected or a successor is elected. The vice chairman

shall serve for one (1) year or until re-elected or a successor is elected. The Committee shall select one of its members to serve as the secretary.

**SECTION VIII: MEMBERS**

The current members of the Parks Advisory Committee are as follows:

- 1. Karyl Clayton
- 2. Beverly Cooper
- 3. Charnessa Grace
- 4. Jamil Salem
- 5. Ieisha Fuller
- 6. Kennard Turner
- 7. Councilmember Tara Graves
- 8. Councilmember George Turner

The 2023 members of the Parks and Recreation Advisory Committee are as follows:

- 1. Councilmember Tara Graves
- 2. Councilmember Alecia Washington
- 3. Beverly Cooper
- 4. Jamil Salem
- 5. Karyl Clayton
- 6. Ieisha Fuller
- 7. Charnessa Grace
- 8. Kennard Turner



### **SECTION IX: ENFORCEMENT AND SEVERABILITY**

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution 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 Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. 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 Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution 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 sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

### **SECTION X REPEAL OF CONFLICTING RESOLUTIONS**

All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

### **SECTION XI EFFECTIVE DATE OF RESOLUTION**

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

**SO RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**

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

**RESOLUTION NO. \_\_\_\_\_ - \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE RECONSTITUTION OF THE FINANCE OVERSIGHT COMMITTEE OF THE CITY OF STONECREST, GEORGIA AND APPOINTING MEMBERS.**

**WHEREAS**, the City of Stonecrest (“City”) was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum; and

**WHEREAS**, Senate Bill 208 provided a charter for the City of Stonecrest (the “City Charter”); and

**WHEREAS**, Senate Bill 21, passed in the Georgia General Assembly during the 2021 Session and subsequently signed into law on April 2, 2021; and

**WHEREAS**, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions and rights necessary or desirable to promote the general welfare of the City and its inhabitants; and

**WHEREAS**, Section 7 of Senate Bill 21 amended Section 2.11 to read as follows:  
\*(c)(1) The city council shall have the power by ordinance or resolution to establish oversight, policy, and standing committees of the council; and

**WHEREAS**, the City Council of the City finds that the public health, safety, and welfare of the citizens of Stonecrest, as well as the City’s financial interests and its stakeholders will best be served by appointing a of Stonecrest Finance Oversight Committee, which will be comprised of public and private stakeholders in the City of Stonecrest, who will evaluate and submit to the City Council recommendations on financial and budgeting matters; and

**WHEREAS**, the City desires to reconstitute the Finance Oversight Committee for 2023.

**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows:**

**SECTION I: ESTABLISHMENT**

**ESTABLISHMENT OF THE FINANCE OVERSIGHT COMMITTEE AND AUTHORIZATION:** There is hereby established the Stonecrest Finance Oversight Committee of the City of Stonecrest, Georgia (the "Stonecrest finance Oversight Committee"). Two or more councilmembers may be a member of the Stonecrest Finance Oversight Committee. The City Manager or designee, the City Finance Director, and the internal Auditor shall be ex-officio members of the Stonecrest Finance Oversight Committee.

**SECTION II: MISSION AND DUTIES**

The Stonecrest Finance Oversight Committee shall study and research City matters related to finances and budget, and shall make recommendations to the City Council regarding financial reports and budget performance on all funds, services, strategies, departments, and organizational units of the City on a regular basis. Additional tasks shall include review of the budget structure, review of the purchasing policy, creating a detailed budget calendar, and outlining rules for passing the budget.

Members must attend two-thirds of the Stonecrest Finance Oversight Committee meetings in a calendar year. Failure to do so warrants removal from the Stonecrest Finance Oversight Committee.

**SECTION III: MEMBERSHIP**

The Finance Oversight Committee shall be composed of eight (8) members. The City Council shall establish qualifications for members of the Finance Oversight Committee except that each Finance

Oversight Committee member must be either a resident of the City or a member of the City Council. Each committee person shall be nominated and approved by the City Council. Should the committee member move out of the City he/she may remain active until the City Council appoints his/her replacement. Members must attend two-thirds (2/3) of the Finance Oversight Committee meetings in a calendar year. Failure to do so warrants removal from the Committee.

**SECTION IV: TERMS**

Each member shall serve until the succeeding end of the City’s fiscal year. for a term of one (1) year. Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made. Any member may be removed with or without **for** cause by the City Council.

**SECTION V: COMPENSATION**

Finance Oversight Committee members will serve without compensation.

**SECTION VI: QUORUM**

A majority of the actual number of Finance Oversight Committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

**SECTION VII: GOVERNANCE**

The Finance Oversight Committee shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the City Council. The Finance Oversight Committee shall set its own meeting schedule and establish the meeting agendas. The date and time of each meeting as well as agenda items to be considered shall be publicized in the same manner as meetings of the City Council. All meetings shall be open to the public and all records maintained by the Finance Oversight Committee shall be public records unless expressly exempted by a provision of the

Georgia Open Records Act. The Finance Oversight Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall maintain records of its examinations and other official actions all of which shall be filed in the office of the City Clerk. Copies of the minutes shall be sent to the Mayor and each member of the City Council..

**SECTION VIII: MEMBERS**

The current members of the Finance Oversight Committee are as follows:

- 1. Mayor Jazzmin Cobble                      Chair Person
- 2. Angela Ash                                      Member
- 3. Nidia Farnum                                  Member
- 4. Dave Marcus                                    Member
- 5. Michael Strong                                Member
- 6. Lakeisha Swanson                            Member
- 7. Councilmember George Turner          Council
- 8. Councilmember Tammy Grimes          Council

The 2023 members of the Finance Oversight Committee are as follows:

- 1. Jennifer Moore                      Member
- 2. Angela Ash                              Member
- 3. Lakeisha Swanson                    Member
- 4. Dave Marcus                            Member
- 5. Mayor Jazzmin Cobble
- 6. Councilmember George Turner

7. Councilmember Tammy Grimes
- 8.

#### **SECTION IX: ENFORCEMENT AND SEVERABILITY**

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution 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 Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. 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 Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution 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 sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

**SECTION X REPEAL OF CONFLICTING RESOLUTIONS**

All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

**SECTION XI EFFECTIVE DATE OF RESOLUTION**

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

**SO RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**



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

**RESOLUTION NO. \_\_\_\_ - \_\_\_\_\_**

**A RESOLUTION TO AUTHORIZE THE RECONSTITUTION OF THE STONECREST TRANSPORTATION ADVISORY ~~STEERING~~ COMMITTEE OF THE CITY OF STONECREST, GEORGIA AND APPOINT MEMBERS.**

**WHEREAS**, the City of Stonecrest (“City”) was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum; and

**WHEREAS**, Senate Bill 208 provided a charter for the City of Stonecrest (the “City Charter”); and

**WHEREAS**, Senate Bill 21, passed in the Georgia General Assembly during the 2021 Session and subsequently signed into law on April 2, 2021; and

**WHEREAS**, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions and rights necessary or desirable to promote the general welfare of the City and its inhabitants; and

**WHEREAS**, Section 7 of Senate Bill 21 amended Section 2.11 to read as follows:  
\*(c)(1) The city council shall have the power by ordinance or resolution to establish oversight, policy, and standing committees of the council; and

**WHEREAS**, the City Council of the City of Stonecrest determined that it was in the best interest of the City and its citizens to establish the Stonecrest Transportation Advisory ~~Steering~~ Committee of the City of Stonecrest, Georgia, for the purpose of reviewing various modes of transportation and make recommendations to the City Council on the most desired mode of public transit for the Stonecrest area and for other purposes; and

**WHEREAS**, the City desires to reconstitute the Transportation Advisory Committee for 2023.

**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows:**

#### **SECTION I: ESTABLISHMENT**

1. There is hereby established the Stonecrest Transportation Advisory Committee of the City of Stonecrest, Georgia (the "Stonecrest Transportation Advisory Committee").
2. That two or more councilmembers will be a member of the Stonecrest Transportation Advisory Committee.
3. That the city manager or her designee shall oversee the meetings of the Stonecrest Transportation Advisory Committee and shall be an ex-officio, non-voting member of the Stonecrest Transportation Advisory Committee.

#### **SECTION II: MISSION AND DUTIES**

1. The Stonecrest Transportation Advisory Committee shall study and research City matters of interest and importance related to the City's transportation. The committee shall report recommendations to the City Council regarding resolutions to the most desired modes of Transportation in the areas of; heavy rail, light rail, bus rapid transit, the ATL and mobility distribution strategies.
2. The Committee with further monitor and assist with evaluations of the Freight Cluster Study, The Path Study and The Trails Study initiatives. The Stonecrest Transportation Advisory Committee may thereafter, from time to time, offer additional written recommendations to the City Council regarding the Stonecrest Master Transportation Plan.

#### **SECTION III: MEMBERSHIP**

The Stonecrest Transportation Advisory Committee shall be composed of ten (10) members, two (2) of which shall be Councilmembers appointed by the City Council to serve as members of the Committee. The City Council shall establish qualifications for members of the Transportation

Advisory Committee except that each Transportation Advisory Committee member must be either a resident of the City, members of City Council, recommendations from the A.T.L. Board, an owner or officer of a business domiciled in the City, persons or corporations doing a substantial part of their business in Stonecrest and civic associations or non-profits domiciled in the city of Stonecrest. Each committee person shall be nominated and approved by the City Council. Should the committee member move out of the City or no longer be an owner or an officer of a business domiciled in the City, he/she may remain active until the City Council appoints his/her replacement. Members must attend two-thirds (2/3) of the Transportation Advisory Committee meetings in a calendar year. Failure to do so warrants removal from the Committee.

**SECTION IV: TERMS**

Each member shall serve until the succeeding end of the City’s fiscal year. Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made. Any member may be removed with or without cause by the City Council.

**SECTION V: COMPENSATION**

Transportation Advisory Committee members will serve without compensation.

**SECTION VI: QUORUM**

A majority of the actual number of Transportation Advisory Committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

**SECTION VII: GOVERNANCE**

The Transportation Advisory Committee shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the City Council. The Transportation Advisory Committee shall set its own meeting schedule and establish the meeting agendas. The date and time of each meeting as well as agenda items to be considered shall be publicized in the same manner as meetings of the City Council. All meetings shall be open to the public and all records maintained by the Transportation Advisory Committee shall be public records unless expressly exempted by a provision of the Georgia Open Records Act. The Transportation Advisory Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall maintain records of its examinations and other official actions all of which shall be filed in the office of the City Clerk. Copies of the minutes shall be sent to the Mayor and each member of the City Council. At each meeting, the public shall be granted time for public comment. The Transportation Advisory Committee shall elect a chairman to conduct meetings and a vice chairman to conduct meetings in the absence of the chairman. Elections shall be held at the first regular meeting of the calendar year. The chairman shall serve for one (1) year or until re-elected or a successor is elected. The vice chairman shall serve for one (1) year or until re-elected or a successor is elected. The Committee shall select one of its members to serve as the secretary.

**SECTION VIII: MEMBERS**

The current members of the Transportation Advisory Committee are as follows:

- |                   |            |              |
|-------------------|------------|--------------|
| 1. Erica Williams | Vice Chair | District ___ |
| 2. Alan Burnette  | Member     | District ___ |



extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. 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 Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution 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 sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

**SECTION X REPEAL OF CONFLICTING RESOLUTIONS**

All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

**SECTION XI EFFECTIVE DATE OF RESOLUTION**

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

**SO RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_**  
**CITY OF STONECREST, GEORGIA**

---

**Jazzmin Cobble, Mayor**

**ATTEST:**

---

**City Clerk**

**APPROVED AS TO FORM:**

---

**City Attorney**

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

**RESOLUTION NO. \_\_\_\_\_ - \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE RECONSTITUTION OF THE ECONOMIC DEVELOPMENT PLAN STEERING COMMITTEE OF THE CITY OF STONECREST, GEORGIA AND APPOINTING MEMBERS.**

**WHEREAS**, the City of Stonecrest (“City”) was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum; and

**WHEREAS**, Senate Bill 208 provided a charter for the City of Stonecrest (the “City Charter”); and

**WHEREAS**, Senate Bill 21, passed in the Georgia General Assembly during the 2021 Session and subsequently signed into law on April 2, 2021; and

**WHEREAS**, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions and rights necessary or desirable to promote the general welfare of the City and its inhabitants; and

**WHEREAS**, Section 7 of Senate Bill 21 amended Section 2.11 to read as follows:  
\*(c)(1) The city council shall have the power by ordinance or resolution to establish oversight, policy, and standing committees of the council; and

**WHEREAS**, the City Council of the City of Stonecrest determined that it was in the best interest of the City and its citizens to establish the Economic Development Plan Steering Committee of the City of Stonecrest, Georgia, for the purpose of providing input and insights to City staff to ensure the views of the business community are represented; and

**WHEREAS**, the City desires to reconstitute the Economic Development Plan Steering Committee for 2023.



**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA, as follows:**

**SECTION I: ESTABLISHMENT**

ESTABLISHMENT OF THE ECONOMIC DEVELOPMENT PLAN STEERING COMMITTEE AND AUTHORIZATION: The City Council of the City of Stonecrest affirms that creating this committee is an opportunity for the City to affect substantive improvements to the City's business community through workforce development, employment opportunities for City residents, increased diversity of businesses, professional offices and services, and a higher quality of life for all residents. To further help accomplish this vision, there is hereby established the Economic Development Plan Steering Committee of the City of Stonecrest, Georgia (hereinafter referred to as the "Economic Development Plan Steering Committee").

**SECTION II: MISSION AND DUTIES**

The mission of the Economic Development Plan Steering Committee is to support efforts towards diverse and sustainable economic vitality within the community. The purpose of the EDPSC is:

1. To provide a forum for exchanging ideas and information to address the needs of the business community to better serve the City of Stonecrest residents and visitors;
2. To promote business development and provide input and ideas for increasing diversity of businesses and services, and a higher quality of life for all residents;
3. To ensure that each district of the City is represented and has the opportunity to advocate for the views of the business community.

**SECTION III: MEMBERSHIP**

The Economic Development Plan Steering Committee shall be composed of twelve (12) members, two (2) of which shall be Councilmembers appointed by the City Council to serve as ~~ex-officio,~~ ~~non-voting~~ members of the Committee. The City Council shall establish qualifications for members of the Economic Development Plan Steering Committee except that each Economic Development Plan Steering Committee member must be either a resident of the City or a non-resident who are regional partners of the City of Stonecrest. Each committee person shall be nominated and approved by the City Council. Members must attend two-thirds (2/3) of the Economic Development Plan Steering Committee meetings in a calendar year. Failure to do so warrants removal from the Committee. This committee is a ad hoc committee and will schedule meetings on an ad hoc basis based on the availability of the Committee members.

**SECTION IV: TERMS**

Each member shall serve from January to December of each year or until the purpose of the committee is complete which date comes first. Members filling vacancies shall serve the remainder of the term to which they were appointed. A consecutive appointment is permissible. Members whose terms expire shall continue to serve until a replacement is appointed or a consecutive appointment is made. Any member may be removed with or without cause by the City Council.

**SECTION V: COMPENSATION**

Economic Development Plan Steering Committee members will serve without compensation. Reasonable expenses for travel may be reimbursed

## **SECTION VI: QUORUM**

A majority of the actual number of Economic Development Plan Steering Committee members establishes a quorum. Any action taken requires a majority of affirmative votes of the quorum present.

## **SECTION VII: GOVERNANCE**

The Economic Development Plan Steering Committee shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the City Council. The Economic Development Plan Steering Committee shall set its own meeting schedule and establish the meeting agendas. The date and time of each meeting as well as agenda items to be considered shall be publicized in the same manner as meetings of the City Council. All meetings shall be open to the public and all records maintained by the Economic Development Plan Steering Committee shall be public records unless expressly exempted by a provision of the Georgia Open Records Act. The Economic Development Plan Steering Committee shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall maintain records of its examinations and other official actions all of which shall be filed in the office of the City Clerk. Copies of the minutes shall be sent to the Mayor and each member of the City Council. At each meeting, the public shall be granted time for public comment. The Economic Development Plan Steering Committee shall elect a chairman to conduct meetings and a vice chairman to conduct meetings in the absence of the chairman. Elections shall be held at the first regular meeting of the calendar year. The chairman shall serve for one (1) year or until re-elected or a successor is elected. The vice chairman shall serve for one (1) year or until re-elected or a successor is elected. The Committee shall select one of its members to serve as the secretary. The Economic Development Plan Steering Committee will report either in person or in writing to the Mayor and City Council

at a time to be established by the City Council and the Economic Development Plan Steering Committee.

### **SECTION VIII: MEMBERS**

The current members of the Economic Development Plan Steering Committee are as follows:

1. Joe Coleman
2. Revonda Cosby
3. Andrew Wells
4. Thad Mayfield
5. Dave Marcus
6. Dorian DeBarr
7. Christopher Seabrook
8. Jetha Wagner
9. Mindal Patel
10. Sid Barron
11. Shelbia Jackson

The 2023 members of the Economic Development Plan Steering Committee are as follows:

1. Bernard Knight
2. Revonda Cosby
3. Andrew Wells
4. Thad Mayfield
5. Dave Marcus
6. Dorian DeBarr
7. Chris Seabrook

8. Jetha Wagner
9. Minal Patel
10. Sid Barron
11. Shelbia Jackson
- 12.

### **SECTION IX: ENFORCEMENT AND SEVERABILITY**

(a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution 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 Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. 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 Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution 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

sections of the Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and effect.

**SECTION X REPEAL OF CONFLICTING RESOLUTIONS**

All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

**SECTION XI EFFECTIVE DATE OF RESOLUTION**

This Resolution shall become effective upon the date of approval and execution by the Mayor and Council of the City of Stonecrest, Georgia.

**SO RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_

**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_

**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_

**City Attorney**



## CITY COUNCIL AGENDA ITEM

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**SUBJECT: Film Text Admendment 2<sup>nd</sup> Read**

---

**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):** 11/14/22 & 12/27/22

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

**Current Council Meeting:** Monday, January 23, 2023

---

**SUBMITTED BY:** William Smith, Economic Development Director and Alicia Thompson, City Attorney

**PRESENTER:** William Smith/Alicia Thompson

**PURPOSE:** Second read.

**FACTS:** Updating of existing film ordinance.

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

**RECOMMENDED ACTION:** Click or tap here to enter text.

**ATTACHMENTS:**

- (1) Attachment 1 - Ordinance
- (2) Attachment 2 - Click or tap here to enter text.
- (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.

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

**ORDINANCE NO. 2022-12-01**

1 **AN ORDINANCE TO AMEND CHAPTER 15 (LICENSES, PERMITS AND**  
2 **MISCELLANEOUS BUSINESS REGULATIONS), ARTICLE XIV. (FILM**  
3 **PRODUCTION), OF THE CITY OF STONECREST CODE OF ORDINANCES TO**  
4 **REQUIRE FILM PERMITTING ON PRIVATE PROPERTY AND TO PROVIDE FOR**  
5 **CERTAIN EXEMPTIONS; TO PROVIDE FOR SEVERABILITY; TO REPEAL**  
6 **CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE**  
7 **AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

8       **WHEREAS**, the City of Stonecrest, Georgia (the “City”) is a municipal corporation  
9 created under the laws of the State of Georgia; and

10       **WHEREAS**, the duly elected governing authority of the City is the Mayor and Council  
11 (“City Council”) thereof; and

12       **WHEREAS**, the City Council shall have the authority to adopt and provide for the  
13 execution of such ordinances, resolutions, policies, rules, and regulations, which it shall deem  
14 necessary, expedient, or helpful for the peace, good order, protection of life and property, health,  
15 welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City  
16 of Stonecrest and may enforce such ordinances by imposing penalties for violation thereof; and

17       **WHEREAS**, ARTICLE XIV FILM PRODUCTION (“Film Production Ordinance”) of the  
18 City of Stonecrest Code of Ordinances facilitates entertainment industry work performed in  
19 Stonecrest while safeguarding the interests of Stonecrest's residents and businesses; and

20



21           **WHEREAS**, the Film Production Ordinance requires filming permit when work is  
22 performed on public property; and

23           **WHEREAS**, the City wishes to amend the Film Production Ordinance by requiring film  
24 permitting on private property in order to regulate certain uses on private property as long as the  
25 use has an impact on public property; and

26           **WHEREAS**, the amendment to the Film Production Ordinance will also allow for certain  
27 exemptions for filming on private property to include:

- 28           • Film Activities for the purpose of News Media;
- 29           • The recording of visual images (motion or still photography) solely for private use  
30           and not for commercial use associated with personal/family video;
- 31           • Film Activities (motion or still photography) conducted at or within a properly-  
32           licensed studio; and
- 33           • The owner of any Small Business, as defined by the size standards of the Small  
34           Business Administration (SBA), may film a commercial for said business at their  
35           properly licensed business location without a permit, so long as the filming takes  
36           place wholly inside the private premises of the business location or immediately  
37           outside the premises so long as the filming does not substantially interfere with  
38           any vehicular or pedestrian traffic on the public right of way.

39           **WHEREAS**, the City Council finds that it is necessary to amend the Film Production  
40 Ordinance for the interest of maintaining the public safety and general welfare of citizens of the  
41 City and its visitors.

42           **NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR**  
43 **AND COUNCIL OF THE CITY OF STONECREST, GEORGIA and by the authority**  
44 **thereof:**

45           **Section 1.** The Code of Ordinances, City of Stonecrest, Georgia is hereby amended by revising  
46 CHAPTER 15 (LICENSES, PERMITS AND MISCELLANEOUS BUSINESS  
47 REGULATIONS), ARTICLE XIV. (FILM PRODUCTION) by adopting the provisions set forth  
48 in Exhibit A attached hereto and made a part by reference.

49           **Section 2.** That amended ordinance be read and codified as follows with added text in **bold**  
50 and deleted text in ~~strike~~ font:

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

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

56           (b) It is hereby declared to be the intention of the Mayor and Council that, to the  
57 greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of  
58 this Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this  
59 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the  
60 greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance  
61 is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this  
62 Ordinance.

63           (c) In the event that any phrase, clause, sentence, paragraph or section of this  
64 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise

65 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the  
66 express intent of the Mayor and Council that such invalidity, unconstitutionality or  
67 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional  
68 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or  
69 sections of this Ordinance and that, to the greatest extent allowed by law, all remaining phrases,  
70 clauses, sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional,  
71 enforceable, and of full force and effect.

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

74 **Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly  
75 repealed to the extent of the conflict only.

76 **Section 7.** The effective date of this Ordinance shall be the date of its adoption by the  
77 Mayor and Council unless otherwise stated herein.

78 **Section 8.** The Ordinance shall be codified in a manner consistent with the laws of the  
79 State of Georgia and the City of Stonecrest.

80 **Section 9.** It is the intention of the governing body, and it is hereby ordained that the  
81 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of  
82 Stonecrest, Georgia and the sections of this Ordinance may be renumbered to accomplish such  
83 intention.

**SO ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

# Exhibit A

## **ARTICLE XIV. FILM PRODUCTION**

### **Sec. 15.14.1. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Applicant* means the individual applying for a permit, who is legally authorized to bind the Producer.

*Application* means the document created by the Department of Economic Development that must be completed and submitted to the Director by a producer or the producer's authorized representative, in order to request a permit.

*Change request* means the document created by the Director that must be completed and submitted to the Department of Economic Development by a producer or the producer's authorized representative in order to request a material change to a permit.

*Department* means the Department of Economic Development.

*Department of Economic Development* means the Department of Economic Development, and its designee.

*Director* means the Director of the Economic Department, and his designee.

*Element* means an activity that is listed in Code section 15.14.6 below.

*Entertainment industry work* means the production of motion pictures, television series, commercials, music videos, interactive games and animation, where the final product is intended to be commercially released and/or commercially distributed.

*Filming* means creating motion picture images on public property **or private property**, including the on-site/on-location pre-production activities associated therewith, where the final product is intended to be commercially released and/or commercially distributed. Filming does not include activities performed as part of:

- 1) Documenting current affairs; or
- 2) Producing newscasts.

In addition, Filming does not include location scouting.

**Impact with regards to public property, means (1) Use of intellectual property belonging to the City; (2) Closure of a City or state street, lane and/or sidewalk; (3) Use of pyrotechnics or other explosives; (4) Smoke effects, water effects or flame effects; (5) Display of real or artificial fire arms, grenades or other weapons that would cause the public to fear violence; (6) Vehicle chases and/or vehicle crashes; (7) Use of large or any other equipment that has a reasonable likelihood of causing damage to public property; (8) Use of wild animals controlled under federal or state law or county and/or municipal ordinances; (9) Use of city or state streets and/or lanes for the parking of trailers or vehicles associated with the Filming Activity that are likely to restrict the flow of traffic; (10) If another permit and/or license or any type of inspection is required by the ordinances of the City for the filming activity; (11) A gathering that lasts for more than one hour, has more than 75 attendees; or (12) any combination of the above.**

*Permit* means a permit validly issued by the Department of Economic Development that authorizes Filming and the Elements contained therein, if any.

*Producer* means an individual, organization, corporation or any other entity that is ultimately responsible for the filming that is the subject of the application and the permit (where applicable).

*Public property* means real property owned by the city or for which the city is a lessee, including, without limitation, parks, streets, sidewalks, other rights-of-way, and buildings. The term "public property" shall not include real property which is being leased by the city to a lessee.

**Private property means real property owned or leased by an individual or non-governmental entity, including, for example, residential homes and commercial developments.**

(Ord. No. 2017-10-03, § 1(15.14.1), 10-16-2017)

### **Sec. 15.14.2. Purpose and intent.**

The intent of the city in adopting this entertainment filming ordinance is to facilitate entertainment industry work performed in Stonecrest while safeguarding the interests of Stonecrest's residents and businesses. This article strengthens the city's ability to anticipate and provide adequate services for the multiple filming projects throughout Stonecrest. It also enhances the city's ability to accommodate unanticipated circumstances and requested changes. The Department of Economic Development, similarly, will respond to the needs of Stonecrest's neighborhoods regarding entertainment industry work and will promote community awareness of the entertainment industry's impact upon Stonecrest's economic development. This article furthers the city's commitment to being a best-in-class location to work and to live.

(Ord. No. 2017-10-03, § 1(15.14.2), 10-16-2017)

### **Sec. 15.14.3. Department of economic development as resource and liaison.**

The Department of Economic Development will serve as a resource for Stonecrest's residents and businesses, providing information upon request about current or scheduled filming, helping to resolve problems that arise from entertainment industry work, and acting as a liaison between residents, businesses and the entertainment industry to address inconvenience experienced generally and with regard to a specific project. The Department of Economic Development will also serve as an ambassador to the entertainment industry, providing information, answering questions, helping to resolve challenges and facilitating the industry's work in the city. The Department of Economic Development will implement other mechanisms that enhance the experience of all people performing and effected by entertainment industry work, which may include an informational webpage and on-line permitting. While permits are required for entertainment industry work that occurs on public **and private** property ~~only~~, the Department of Economic Development will be a resource and liaison for all entertainment industry work, including work that occurs on private property.

(Ord. No. 2017-10-03, § 1(15.14.3), 10-16-2017)

### **Sec. 15.14.4. Permits for filming.**

- (1) Any producer that wishes to perform filming must first obtain a filming permit. ~~No filming permit is required unless the entertainment industry work is performed on public property.~~ **No person shall use any Public Property or Facility, or Private Property, Facility or Residence where such use will have an Impact on public property for the purpose of filming without first applying for and obtaining a permit pursuant to this Article.**
- (2) Filming permits shall be issued by the Department of Economic Development. Permits shall be issued to the producer.
- (3) A permit will specify the filming that may occur at a particular location at a particular time. The permit will authorize elements to be performed as part of the filming, provided that the elements have been approved

by the Department of Economic Development. After receiving a permit, a producer may request modifications to the permit as described in subsection 15.14.8(1) below.

- (4) Where the filming application includes a request to close a city street, lane and/or sidewalk during the transition period for the City of Stonecrest, the request will be processed by DeKalb County in accordance with DeKalb County's ordinances, guidelines, and regulations.
- (5) A producer that receives a permit is responsible for knowing and complying with all other laws, including other ordinances and regulations, that establish prerequisites, authorizations and other required permissions applicable to the filming.
- (6) Where permitted filming includes signs or other displays of speech which would require a permit under chapter 21 or otherwise be prohibited under the Code, the signs and/or displays must be removed upon the expiration of the permit.
- (7) Notwithstanding any other part of this Code, any producer that performs filming without receiving a permit, violates the material terms of a permit, or is otherwise in violation of this entertainment filming ordinance, shall be subject to the provisions of section 1-11 of the Code.
- (8) While it is the intent of the city to honor each permit, the issuance of such permit shall not grant the producer a constitutionally protected property interest.

(Ord. No. 2017-10-03, § 1(15.14.4), 10-16-2017)

#### **Sec. 15.14.5. Exemption from filming permit requirement; first amendment activity.**

The following types of filming are exempt from the permitting requirement of subsection 15.14.4(1) above. This provision does not exempt a producer from complying with other applicable Code provisions, laws, ordinances or regulations that require elements or other activities included in the filming to be permitted or approved by the appropriate governmental entity.

- (1) Filming associated with any permitted or unpermitted rally, protest or demonstration, except when the same is staged for the sole purpose of being included in the filming's final product.
- (2) Filming associated with an outdoor event that is authorized by a city-issued permit, except when the same is staged for the sole purpose of being included in the filming's final product.
- (3) The provisions of this Article shall not apply to Film Activities for the purpose of News Media.**
- (4) The recording of visual images (motion or still photography) solely for private use and not for commercial use associated with personal/family video.**
- (5) Film Activities (motion or still photography) conducted at or within a properly-licensed studio.**
- (6) The owner of any Small Business, as defined by the size standards of the Small Business Administration (SBA), may film a commercial for said business at their properly licensed business location without a permit, so long as the filming takes place wholly inside the private premises of the business location or immediately outside the premises so long as the filming does not substantially interfere with any vehicular or pedestrian traffic on the public right of way.**

(Ord. No. 2017-10-03, § 1(15.14.5), 10-16-2017)

#### **Sec. 15.14.6. Filming elements.**

- (1) An applicant shall indicate on the application each of the elements listed below that will be included in the filming.



- (2) The final decision of whether to allow the element shall be made by the Department of Economic Development, and communicated to the applicant by the Department of Economic Development. Prior to denying permission to perform an element, representatives of the Department of Economic Development shall consult with the producer in an attempt to find alternative ways to accommodate the producer's filming needs.
- (3) ~~This section applies to the activities listed below only when they occur on public property.~~ Where the element requires approval from an additional governmental jurisdiction, the producer must obtain that approval as well.
- (4) The elements are as follows:
- (a) Night-time filming with the use of outdoor lighting where a residence exists within 150 feet from the location of an outdoor light;
  - (b) Filming in buildings that are owned by the city and not leased to a third-party, or in buildings of which the city is a lessee;
  - (c) Use of intellectual property belonging to the city;
  - (d) Closure of a street, lane and/or sidewalk;
  - (e) Use of pyrotechnics or other explosives;
  - (f) Smoke effects, water effects, or flame effects;
  - (g) Display of real or artificial fire arms, grenades, or other weapons that would cause the public to fear violence;
  - (h) Vehicle chases and/or vehicle crashes;
  - (i) Dangerous stunts that have a reasonable likelihood of causing substantial personal injury;
  - (j) Use of large or any other equipment that has a reasonable likelihood of causing damage to public property;
  - (k) Filming in a city park; and
  - (l) Use of wild animals controlled under federal, state, county, or city law and/or ordinances.

(Ord. No. 2017-10-03, § 1(15.14.6), 10-16-2017)

### **Sec. 15.14.7. Processing of permit applications.**

A producer that wishes to perform filming must submit to the Department of Economic Development a completed application and the application fee set forth in code section 15.14.11 below. Where the producer is an organization, corporation or other entity, the application must be signed and submitted by an individual authorized to bind the producer. The Department of Economic Development will process the applications and the director will make permit determinations in accordance with this article XIV.

- (1) The application shall include, but not be limited to, the following:
- a. The filming project name;
  - b. The name and contact information of the applicant, including postal address, email address, and telephone number;
  - c. A valid photo identification of the applicant;
  - d. The name and contact information of the producer (if the applicant is not the producer);

- e. The dates, times and locations of the filming for which a permit is being requested, and a general description of the filming activity that will occur at each location;
  - f. A description of any elements that may be performed during the filming, including the dates, times and locations of each;
  - g. A description of any aspects of the filming, other than the elements, that may require city services;
  - h. A description of any assistance the producer may need from the City and/or concerns that the producer wants the City to be aware of; and
  - i. Where the producer is a student, an official letter or document from his school confirming that he is currently enrolled there. In addition, the student must appear in person and present his current student identification card and a valid driver license. Where the student does not have a driver license, he may present a different form of identification that includes his photo.
- (2) When more than one application is received for filming at substantially the same place and time, and the director reasonably determines that the filmings cannot logistically and/or safely occur together, the earlier or earliest of the applications that is received by the Department of Economic Development in a substantially completed form, which includes submission of the requisite application fee, shall be given priority as to the time and place requested. The Department of Economic Development shall make reasonable efforts to consult with the other applicants in an attempt to find alternative times and/or locations that are acceptable.
  - (3) Film permit applications must be submitted to the Department of Economic Development at least three days prior to the proposed effective date of the permit to avoid rush permit fees as outlined in section 15.4.11.
  - (4) The Department of Economic Development shall compile and maintain rules and guidelines applicable to the use of public property for filming, including the elements that are part of the filming, and shall apply those rules and guidelines equally regardless of the subject matter of the filming and/or the content of the speech therein.
  - (5) In the event that permission to perform an element is denied pursuant to subsection 15.14.6(2) above, the Department of Economic Development will process the remainder of the permit and grant all other aspects of the filming for which the requirements have been met.
  - (6) The Department of Economic Development may deny an application only if the director reasonably determines that one or more of the below-listed conditions exists. Prior to denial, the Department of Economic Development shall make reasonable efforts to consult with the producer in an attempt to resolve issues of concern and/or find alternative ways to accommodate the producer's filming needs, as described in subsections (7) through (10) of this section.
    - a. The filming poses an unreasonable risk of personal injury or property damage to people or property not associated with the filming;
    - b. The filming poses an unreasonable risk of damage to public property that could not be quickly and/or fully remediated;
    - c. The date and time requested for a particular filming location conflicts with previously-issued permits or permissions for filming, outdoor events, or other activities;
    - d. Use of the filming location, or use of the location during the date or time requested, would unreasonably interfere with the operation of city functions;
    - e. Use of the filming location or the proposed activity at the location would violate a law, ordinance, statute or regulation, regardless of whether the illegal activity is part of the message or content

- of the filming. A permit shall not be denied based upon simulation of an illegal activity where the actual illegal activity is not being performed;
- f. The producer owes an outstanding debt to the city;
  - g. The producer previously caused significant damage to public property and, at the time of submitting the application under consideration, failed to adequately repair the damage or pay in full the city's invoice for damage repair and restoration services;
  - h. The producer previously violated this entertainment filming ordinance on two or more occasions, including without limitation by violating a material condition and/or restriction of a permit;
  - i. On two or more occasions, the producer's entertainment industry work in the city violated a city ordinance or other applicable law; and
  - j. The applicant made a material misrepresentation or gave incorrect material information on the application.
- (7) Prior to denying an application, if the Department of Economic Development determines that the requested filming includes one or more of the conditions described in subsection (6)a., b., c., or d. of this section, the Department of Economic Development shall employ reasonable efforts to identify alternative filming locations, times and/or dates that eliminate the unacceptable conditions and that are mutually acceptable to the producer and the city. The producer shall modify the application to incorporate any agreed-upon alternatives.
  - (8) Prior to denying an application, if the Department of Economic Development determines that the requested filming or related activity creates a violation as described in subsection (6)c. of this section, the Department of Economic Development shall allow the producer to revise the application so that the filming activities comply with applicable law.
  - (9) Prior to denying an application pursuant to subsection (6)f. or g. of this section, the Department of Economic Development shall notify the producer of the potential denial and allow her/him to remedy the conditions described in those subsections. The Department of Economic Development shall process the application after such repair, restoration or payment is complete, and may require the producer to obtain a refundable sanitation bond for the filming permit in an amount equivalent to the cost of the repair, restoration or debt.
  - (10) Prior to denying an application pursuant to subsection (6)h., i. or j. of this section, the Department of Economic Development shall provide the applicant an opportunity to present documents or other evidence that refutes the director's finding of previous permit violations, of previous violations of the law, or of misrepresentation or misinformation on the application, as applicable.
  - (11) Where the director has complied with subsections (7), (8), (9) and/or (10) of this section and reasonably determines that one or more of the conditions set forth in subsection (6) of this section continues to exist and that the application should therefore be denied, the director shall issue a written communication to the applicant that includes a detailed explanation for the denial. Nothing in this subsection shall preclude the director from also notifying the applicant orally.
  - (12) If the director denies an application, the applicant shall have the right to appeal the decision to the City Manager or his designee, provided that a written request for such appeal is made to the City Manager within three business days after the applicant's receipt of the director's determination. The person considering the appeal must be impartial, and must have had no involvement in the director's decision. The appeal shall be heard or considered within three business days after the city receives the applicant's request, and shall be decided de novo. The person considering the appeal shall evaluate the application and the director's decision in accordance with the criteria of this article XIV.

- (13) The person considering the appeal may issue his decision verbally, and shall issue a written decision within three business days of receiving written evidence from the applicant and/or meeting with the applicant, whichever is later. The written decision shall be the final decision of the city regarding the application. The applicant or producer may appeal the decision by writ of certiorari to the Superior Court of DeKalb County pursuant to the procedures set forth by Georgia law.
- (14) In no event shall the director's or any city employee's evaluation of whether to grant or deny the application, including any of the elements, include consideration of:
- a) The race, color, creed, religion, gender, age, disability, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, political affiliation or associational relationships of the applicant, producer or any person associated with the filming; or
  - b) The message or content of the filming.

(Ord. No. 2017-10-03, § 1(15.14.7), 10-16-2017)

### **Sec. 15.14.8. Modification, suspension or cancellation of a permit.**

- (1) After receiving a permit, the producer may request a material modification of the permit at any time by submitting to the Department of Economic Development a change request and change fee as set forth in section 15.14.11. The Department of Economic Development's ability to process the change request shall be determined pursuant to the provisions established for processing applications, as set forth in subsections 15.14.7(2) and (3) above. The director's decision of whether to grant or deny the modification request shall be determined as set forth in subsections 15.14.7(4) through (14). Submission of a change request will not impact the validity of the permit already issued, except upon written request of the producer.
- (2) Where a producer has obtained a permit and abides by the material requirements thereof, the permit shall prevent the city's stoppage of activities that are authorized by the permit, except as otherwise set forth in subsection (3) of this section or as a result of applicable law.
- (3) In the event that the Department of Economic Development identifies a substantial public health or safety risk arising from or caused by the filming, and the producer is in material compliance with the permit, the following shall occur:
  - (a) Where the substantial risk is identified prior to the commencement of the filming, the director shall employ reasonable efforts to consult with the producer and identify permit changes that are mutually acceptable to the producer and the city, and that remedy the health/safety issues. Where such efforts are unsuccessful, the director shall modify the permit in a manner that minimizes disruption of the filming as determined at the director's reasonable discretion, and that eliminates the substantial risk.
  - (b) Where the substantial risk is not imminent and is identified after the commencement of the filming, the director shall employ reasonable efforts to consult with the producer and identify permit changes that are mutually acceptable to the producer and the city, and that remedy the health/safety issues. Where such efforts are unsuccessful, the director shall modify the permit in a manner that minimizes disruption of the filming as determined at the director's reasonable discretion, and that eliminates the substantial risk as reasonably determined.
  - (c) Where the substantial risk is imminent as reasonably determined and is identified after the commencement of filming, said department may place a stop work order on the filming if it finds that the order will likely alleviate the substantial risk. The stop work order may be issued without advance notice where the department deems that a delay of the order will jeopardize public health and safety, and shall be lifted as quickly as possible after the risk is eliminated. The director shall employ

reasonable efforts to consult with the producer and identify permit changes that are mutually acceptable to the producer and the city, that will minimize the length and impact of the stop work order as decided by the producer, and that remedy the health/safety issues.

- (d) Changes made to the permit pursuant to this subsection (3) shall not require payment of a change fee.
- (4) Where the director determines that the producer is violating material terms of the permit, the director shall decide the appropriate remedial actions after consulting with the producer. If the director finds that a substantial public health or safety risk is arising from or caused by the material violation, the director may place an immediate stop work order on the filming without prior notice to the producer, and consultation with the producer shall occur after the work stoppage. The consultation between the director and producer shall evaluate the nature and severity of the violation, whether the violation was intentional, whether permit modifications should be made, whether the stop work order should be lifted (where applicable), and what other actions should be taken (if any).

(Ord. No. 2017-10-03, § 1(15.14.8), 10-16-2017)

### **Sec. 15.14.9. Responsibilities of a producer once a permit is obtained.**

- (1) A producer or producer's designee must have the permit on-site at the time and location of the filming, and must also have on-site any other permits required for that location by the department or any other governmental agency.
- (2) A producer must confine filming to the locations, times, guidelines and conditions specified in the permit and must abide by all other material terms of the permit.
- (3) Permits are not transferable.
- (4) A producer must clean and repair the filming location, and restore it to the condition it was in immediately prior to the filming, unless otherwise agreed upon in writing by the director and the producer. The department will inspect the filming location after the filming is completed to ascertain whether this requirement has been met. Where a producer fails to fulfill this requirement, the director will bill the producer for the cleaning, repair and/or restoration costs borne by the city, and the producer must pay the invoice in full within 30 days of receipt.
- (5) Permits shall require the producer to notify the department within three hours or sooner of learning of any emergency event regarding or arising from the filming that involves the media, the police or fire departments or emergency medical services.
- (6) A producer is responsible for:
  - (a) Knowing and complying with all city ordinances and other laws applicable to the filming and to the other activities arising from the producer's permit; and
  - (b) Requiring and using commercially reasonable efforts to enforce the requirement that any person working for or at the direction of the producer (including without limitation contractors) complies with all city ordinances and other laws applicable to the filming and to the other activities arising from the permit.
- (7) The requirements of subsection (6) of this section shall include without limitation that the producer is responsible for obtaining any and all permissions, licenses or other required authorizations for use of intellectual property, including intellectual property which is on public property but is not owned by the city.
- (8) Permits shall prohibit a producer from acting as a representative or agent of the city, and from indicating city endorsement of the filming, except as otherwise agreed to in writing by the director. This provision shall not prohibit the producer's use of the city logo in the filming credits.

- (9) The director shall require that notification be given to residents and businesses within a three-block radius of a location for which a filming permit has been issued. The director may provide the notification, may require the producer to provide the notification, or may utilize a different mechanism for providing notification. The notification must state that a filming permit has been issued, and must include the dates, times, locations and activities that are authorized by the permit. Additionally, the director shall require that notification be given to the councilmember representing the district in which the filming will occur. The director shall determine the most effective means and timing of notification based upon factors such as the type of impact that the filming will have on the neighborhood, the time between receipt of the application and commencement of the filming, the producer's budget and previous communications from a neighborhood regarding notification preferences.

(Ord. No. 2017-10-03, § 1(15.14.9), 10-16-2017)

### **Sec. 15.14.10. Other permit requirements.**

After a permit has been approved by the director, it will be issued once the following have occurred:

- (1) The producer signs an indemnification provision on the permit whereby the producer agrees to indemnify the city and its officials and employees from all claims, losses and expenses, including attorneys' fees and costs, that may arise from the permit and any of the activities performed pursuant to the permit by, on behalf of, or at the direction of the producer;
- (2) The producer signs a provision agreeing to comply with all applicable environmental laws, including an agreement not to allow legally-prohibited contaminants from entering the sewage and stormwater drainage systems serving the area where the filming will occur. The producer must sign a separate indemnification clause, such as the one described in subsection (1) of this section, that pertains specifically to environmental breaches and includes without limitation the fines and clean-up costs associated therewith;
- (3) The producer obtains insurance coverage in an amount determined by the director, covers the city as an additional insured on the policy, and provides proof of the coverage.
- (4) The producer pays the permit fee and any other applicable fees set forth in section 15.14.11 below.

(Ord. No. 2017-10-03, § 1(15.14.10), 10-16-2017)

### **Sec. 15.14.11. Fee schedule.**

The department shall collect all applicable fees arising pursuant to this article. These fees are set forth below in this section, and in other sections of the Code pertaining to the cost of services or goods provided by other city departments.

- (1) *Filming permit fee.* A filming permit authorizes all filming for a particular filming project during a calendar month, regardless of the number of filming locations. A filming permit is valid through the last day of the calendar month and may be renewed for additional calendar months.
  - a. *Standard Permit Fee.* The following fees apply when the completed filming permit application is submitted more than three business days prior to the effective date of the permit:
    - (i) \$200.00 for original filming permit.
  - b. *Rush permit fee.* Where a completed filming permit application is submitted to the three or fewer business days prior to the effective date of the permit, the producer must pay the standard permit fee plus the rush fee set forth below in this subsection. Additionally, where a producer

submits an application more than three business days prior to the effective date of the permit, the producer voluntarily may pay the standard permit fee plus the rush fee in order to have the application processed within three or fewer business days.

(i) \$300.00.

c. *Material changes to filming permit.*

(i) There is no charge for modifying a filming permit where the director reasonably determines that the modification is not material. For the purposes of this article XIV, the term "material" means that processing the requested change will require an expenditure of city staff time or services that is more than de minimus.

(ii) There is no charge for a material change to a filming permit where a completed change request is submitted to the director more than three business days prior to the effective date of the permit. Where a material change is requested after the permit has taken effect, there will be no charge if the completed change request is submitted to the director more than three business days prior to the implementation of the requested change.

(iii) Where a change request for a material change is submitted to the director three or fewer business days prior to the effective date of the permit or the implementation date of the change, as described in subsection (1)c.(ii) of this section, the producer must pay the rush change fee set forth below in this subsection. Additionally, where a producer submits a change request more than three business days prior to the implementation of the requested change, the producer voluntarily may pay the rush fee in order to have the change request processed within three or fewer business days:

(A) \$100.00.

d. *Cancellation fee.*

(i) Except as set forth in subsections (1)d.(ii) and (iii) of this section, a filming permit fee is nonrefundable.

(ii) Where the producer submits a change request and the change results in cancellation of a filming permit for a particular calendar month, the producer may utilize the filming permit fee for the cancelled month to purchase a new filming permit for the same project for a different calendar month. Regardless of whether a new filming permit fee is owed, the director shall determine whether a rush fee is applicable based upon the timing of the change request and the standards set forth in subsection (1)c. of this section.

(iii) A filming permit fee is refundable if cancellation is required because of extraordinary circumstances for which the producer is not responsible and which are not within the producer's control. Inclement weather, except for declared states of emergency, and common illness shall not be deemed extraordinary circumstances.

(2) *On-site services fee.* An on-site services fee is assessed for each public property location where filming occurs, as authorized by the filming permit, for each day that filming occurs at that site. Where a producer films at more than three locations in a day for the same filming project, he shall be charged an on-site services fee only for the first three locations.

(Ord. No. 2017-10-03, § 1(15.14.11), 10-16-2017)

**Secs. 15.14.12—15.14.100. Reserved.**



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## CITY COUNCIL AGENDA ITEM

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**SUBJECT: Resolution Appointing DeKalb County Board of Registrations and Elections to Conduct the City of Stonecrest General Election**

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**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.
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**ACTION REQUESTED:**  DECISION     DISCUSSION,     REVIEW, or     UPDATE ONLY

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

**Current Council Meeting:** Monday, January 23, 2023

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**SUBMITTED BY:** Sonya Isom, City Clerk

**PRESENTER:** Sonya Isom

**PURPOSE:** The purpose of this item is to seek Council’s approval of a resolution appointing Dekalb County to conduct the City’s Municipal Election for 2023.

**FACTS:** To appoint Dekalb County Board of Registrations and Elections to conduct the City of Stonecrest General Election scheduled to be held on November 7, 2023. As part of conducting this election, the City is appointing Dekalb County to conduct the election on the City’s behalf as outlined in the attached resolution.

**OPTIONS:** Approve, Deny, Defer Click or tap here to enter text.

**RECOMMENDED ACTION:** Click or tap here to enter text.

**ATTACHMENTS:**

(1) Attachment 1 - Resolution



1 STATE OF GEORGIA  
2 COUNTY OF DEKALB  
3 CITY OF STONECREST

4  
5 RESOLUTION NO. \_\_\_\_\_  
6

7 A RESOLUTION BY THE CITY OF STONECREST, GEORGIA APPOINTING DEKALB  
8 COUNTY BOARD OF REGISTRATIONS AND ELECTIONS TO CONDUCT THE CITY OF  
9 STONECREST 2023 NOVEMBER GENERAL MUNICIPAL ELECTION HELD ON  
10 NOVEMBER 7, 2023 AND IF NECESSARY, TO CONDUCT A CITY OF STONECREST  
11 NOVEMBER SPECIAL RUNOFF ELECTION TO BE HELD ON DECEMBER 5, 2023;  
12 AND FOR OTHER LAWFUL PURPOSES.

13 WHEREAS, the City of Stonecrest, Georgia (the "City") in accordance with O.C.G.A. §  
14 21-2-9 will hold a General Municipal Election on Tuesday, November 7, 2023 ("Municipal  
15 Election"); and

16 WHEREAS, the City in accordance with O.C.G.A. § 21-2-501 may have need to hold  
17 additional City elections, including a runoff election on December 5, 2023 in addition to the  
18 Municipal Election, collectively ("Elections"); and

19 WHEREAS, the Stonecrest City Council is hereby in agreement that it would be in  
20 the best interest of its citizens, pursuant to O.C.G.A. Section 21-2-45 (c), to allow the DeKalb  
21 County Board of Registrations and Elections staff equipment and expertise to conduct the City  
22 of Stonecrest Elections; and

23 WHEREAS, the City and DeKalb County executed an Intergovernmental Agreement  
24 for the provision of Election Services between Dekalb County and the City of  
25 Stonecrest("IGA"); and

26 WHEREAS, the City wishes to execute an agreement in conjunction with the IGA to  
27 allow the DeKalb County Board of Registrations and Elections to conduct the Elections; and

28 WHEREAS, individual duties and responsibilities of both the City and DeKalb County  
29 staff shall be set forth in more detail in the IGA; and

30 WHEREAS, the City agrees to pay all costs associated with such Elections in a manner  
31 provided in the IGA.

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**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF STONECREST, GEORGIA,**

That in accordance with O.C.G.A. §21-2-45(c) the City is authorized to enter into an agreement appointing DeKalb County Board of Registrations and Elections to Conduct the City of Stonecrest November 7, 2023 General Municipal Election and if necessary to conduct a City of Stonecrest General Municipal Runoff Election to be held on December 5, 2023.

**BE IT FURTHER RESOLVED,** that the City Attorney is hereby directed to prepare an agreement with DeKalb County Board of Registrations and Elections for execution by the City Clerk in a substantially similar form to the agreement set forth in **Exhibit A** attached hereto.

**BE IT FURTHER RESOLVED,** that the City shall pay DeKalb County all costs incurred in conducting the General Municipal Election specifically enumerated in the Intergovernmental Agreement for the provision of Election services between Dekalb County and the City of Stonecrest attached hereto as **Exhibit B**.

**BE IT FINALLY RESOLVED,** that the agreement with DeKalb County Board of Registrations and Elections shall not become binding on the City and the City shall incur no liability upon same until such agreement has been executed by the Municipal Clerk and delivered to the contracting party.

**SO RESOLVED This \_\_\_\_\_ day of \_\_\_\_\_ 2023.**

**[SIGNATURE CONTAINED ON THE FOLLOWING PAGE]**

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**CITY OF STONECREST, GEORGIA**

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**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**

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**EXHIBIT A**

**Agreement to Appoint DeKalb County Board of Registrations and Elections to Conduct the City of Stonecrest 2023 November Special Municipal Elections**

As per the Intergovernmental Agreement for the provision of Election Services between Dekalb County and the City of Stonecrest previously approved to conduct the City of Stonecrest Elections, THE CITY OF STONECREST hereby requests that DeKalb County Board of Registrations and Elections conduct its Special Municipal Election on November 7, 2023 and if necessary to conduct a City of Stonecrest Special Runoff Election to be held on December 5, 2023. The last day to register to vote in this election is \_\_\_\_\_.

This \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_(SEAL)  
Municipal Clerk

The DeKalb County Board of Registrations and Elections agrees to conduct the CITY OF STONECREST November Special Municipal Election on November 7, 2023.

This \_\_\_\_\_ day of \_\_\_\_\_ 2023

\_\_\_\_\_(SEAL)  
Election Supervisor  
DeKalb County Board of Registrations and Elections

**EXHIBIT B**



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## CITY COUNCIL AGENDA ITEM

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**SUBJECT: Resolution to Set Qualifying Dates & Fees for the November 7, 2023 General Election**

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**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.

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**CATEGORY:** *(check all that apply)*

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

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**ACTION REQUESTED:**  DECISION     DISCUSSION,     REVIEW, or     UPDATE ONLY

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

**Current Council Meeting:** Monday, January 23, 2023

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**SUBMITTED BY:** Sonya Isom, Deputy City Clerk

**PRESENTER:** Sonya Isom

**PURPOSE:** The purpose of this item is to seek Council’s approval of a Resolution establishing the qualifying dates and fees for candidates qualifying for the November 7, 2023 General Election.

**FACTS:**

**OPTIONS:** Approve, Deny, Defer Click or tap here to enter text.

**RECOMMENDED ACTION:** Click or tap here to enter text.

**ATTACHMENTS:**

(1) Attachment 1 - Resolution

1 STATE OF GEORGIA  
2 COUNTY OF DEKALB  
3 CITY OF STONECREST

4  
5 RESOLUTION NO. \_\_\_\_\_  
6

7 A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
8 STONECREST, GEORGIA TO REGULATE AND PROVIDE FOR THE CALLING OF  
9 THE GENERAL MUNICIPAL ELECTION AND TO CALL THE GENERAL  
10 MUNICIPAL ELECTION FOR THE CITY OF STONECREST TO BE HELD ON  
11 TUESDAY, NOVEMBER 7, 2023 TO ELECT DISTRICT 2 COUNCILMEMBER,  
12 DISTRICT 4 COUNCILMEMBER AND THE MAYOR; TO CONDUCT A RUN-OFF  
13 ELECTION, IF NECESSARY, TO BE HELD ON TUESDAY, DECEMBER 5, 2023; TO  
14 FIX AND PUBLISH QUALIFYING FEES; TO SET THE LOCATION, DATES AND TIME  
15 FOR CANDIDATES QUALIFYING TO FILL MUNICIPAL OFFICES; TO ESTABLISH  
16 QUALIFYING AS A PAUPER; AND FOR OTHER LAWFUL PURPOSES.  
17

18 WHEREAS, the duly elected governing body of the City of Stonecrest, Georgia (the  
19 “City”) is the Mayor and Stonecrest City Council (“City Council”); and

20 WHEREAS, Section 2.06 of the City Charter states that all elections conducted in the  
21 City shall be conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A and grants that  
22 the City Council shall, by ordinance or resolution, prescribe such rules and regulations as it  
23 deems appropriate for the establishment of qualifying fees, to fulfill any options and duties under  
24 Chapter 2 of Title 21 of the O.C.G.A; and

25 WHEREAS, the City in accordance with O.C.G.A. § 21-2-9 will hold a General  
26 Municipal Election on Tuesday, November 7, 2023 (“Municipal Election”); and

27 WHEREAS, the City in accordance with O.C.G.A. § 21-2-501 may have need to hold  
28 additional City elections, including a runoff election on December 5, 2023 in addition to the  
29 Municipal Election, collectively (“Elections”); and

30 WHEREAS, pursuant to the O.C.G.A. § 21-2-131(a)(1)(A); the governing authority of  
31 any municipality, no later than February 1 of any year in which the Municipal Election to be

32 held, shall fix and publish a qualifying fee for each municipal office to be filled in the upcoming  
33 election; and

34 **WHEREAS**, pursuant to the O.C.G.A §21-2-131(a)(1)(A), such fee shall be (3) three  
35 percent of the total gross salary of the office paid in the preceding calendar year including all  
36 supplements authorized by law; and

37 **WHEREAS**, the current annual salaries for these elected municipal offices are as  
38 follows:

39 City Councilmember - \$15,000;

40 Mayor - \$20,000; and

41 **WHEREAS**, pursuant to the O.C.G.A § 21-2-132 (g) and (h), a pauper's affidavit and  
42 accompanying qualifying petition may be filed in lieu of paying a qualifying fee.

43 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY**  
44 **OF STONECREST, GEORGIA,**

45 **BE IT FURTHER RESOLVED**, that a General Municipal Election shall be held on  
46 Tuesday, November 7, 2023 for the election of District 2 Councilmember, District 4  
47 Councilmember and The Mayor.

48 **BE IT FURTHER RESOLVED**, that if necessary a runoff election shall be on  
49 December 5, 2023.

50 **BE IT FURTHER RESOLVED**, that the Municipal Clerk shall "call" said Election by  
51 publishing notice of the election in a newspaper of general circulation at least 30 days before the  
52 Municipal Election is held.



53 **BE IT FURTHER RESOLVED**, that the Municipal Clerk shall fix and publish the  
54 qualifying fees, location, dates, and times no later than February 1 of the year in which the  
55 Municipal Election is to be held.

56 **BE IT FURTHER RESOLVED**, that candidates shall qualify to fill the aforementioned  
57 offices by filing a notice of candidacy and paying the required fee to the Municipal Clerk, or by  
58 filing a pauper's affidavit and accompanying petition with, the Municipal Clerk or designated  
59 agent at 3120 Stonecrest Blvd. Stonecrest, GA 30038 no earlier than 8:30 A.M. on the third  
60 Monday in August immediately preceding the general election and shall end no later than 4:30  
61 P.M. on the following Friday in accordance with 21-2-132(c)(3)(A).

62 **BE IT FURTHER RESOLVED**, that the qualifying period shall a minimum of three  
63 and no more than five days.

64 **BE IT FURTHER RESOLVED**, the qualifying fees for each candidate for District 2  
65 Councilmember, District 4 Councilmember and The Mayor shall be (3) three percent of the total  
66 gross salary of the office paid in the preceding calendar year and are therefore set as follows:

- 67 **District 2 Councilmember - Four-Hundred and Fifty Dollars and No/Cents - (\$450.00);**
- 68 **District 4 Councilmember – Four-Hundred and Fifty Dollars and No/Cents - (\$450.00); and**
- 69 **The Mayor – Six-Hundred Dollars and No/Cents - (\$600.00).**

70 **BE IT FINALLY RESOLVED**, that all resolutions or parts of resolutions in conflict  
71 herewith are hereby repealed.

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73 **SO RESOLVED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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75 **[SIGNATURES ON THE FOLLOWING PAGE]**  
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**CITY OF STONECREST, GEORGIA:**

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**Jazzmin Cobble, Mayor**

**ATTEST:**

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**City Clerk**

**APPROVED AS TO FORM:**

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**City Attorney**