

PLANNING COMMISSION MEETING
Stonecrest City Hall's *Zoom Video* - 6:00 PM
March 1, 2022



A G E N D A

As set forth in the Americans with Disabilities Act of 1990, the City of Stonecrest will assist citizens with special needs given notice (7 working days) to participate in any open meetings of the City of Stonecrest. Please contact the City Clerk's Office via telephone (770-224-0200).

Citizens wishing to actively participate and make a comment during the public hearing portion of the meeting please submit their request via email address lillian.lowe@stonecrestga.gov by noon the day of the hearing, March 1, 2022. A zoom link for the meeting will be sent to you, or you can also submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

- I. Call to Order**
- II. Roll Call**
- III. Approval of the Agenda**
- IV. Presentations** - Presentation by Senior Planner Ms. Keedra Jackson, Planning and Zoning Department on department activities and upcoming cases.
- V. Approval of Minutes:** The Planning Commission Meeting Minutes Summary dated February 1, 2022.
- VI. Old Business:**

1. Public Hearing(s):

LAND USE PETITION: AX-21-002
PETITIONER: GBG 2 Lithonia Group, LLC on behalf of the property owners Charles M. Bettis and J. Ed Seagraves
LOCATION: 1724 Rodgers Lake Rd (Parcel ID 16 157 05 003)
PROPOSED AMENDMENT: Proposed annexation of 19.28 acres and rezoning from Light Industrial (M-DeKalb County) to Light Industrial (M-City of Stonecrest) for a gravel parking lot.

LAND USE PETITION: TMOD-22-002
PETITIONER: Planning & Zoning Department
LOCATION: Citywide
PROPOSED AMENDMENT: Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to remove light industrial uses from Tier 3 of the Stonecrest Area Overlay

LAND USE PETITION: TMOD-22-003
PETITIONER: Planning & Zoning Department
LOCATION: Citywide
PROPOSED AMENDMENT: Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to allow for the revision of residentially zoned land rezoned by DeKalb County from industrial that is not used for residential purposes

LAND USE PETITION: TMOD-22-004
PETITIONER: Planning & Zoning Department
LOCATION: Citywide
PROPOSED AMENDMENT: Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to require buffers for newly developed or rezoned residential tracts next to industrial uses.

LAND USE PETITION: TMOD-22-005
PETITIONER: Planning & Zoning Department
LOCATION: Citywide
PROPOSED AMENDMENT: Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for Towing and Wrecking Services

LAND USE PETITION: TMOD-22-006
PETITIONER: Planning & Zoning Department
LOCATION: Citywide
PROPOSED AMENDMENT: Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for Distilleries and Breweries

LAND USE PETITION: TMOD-22-007
PETITIONER: Planning & Zoning Department
LOCATION: Citywide
PROPOSED AMENDMENT: Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for Solar Energy

VII. New Business: None

VIII. Adjournment

PLANNING COMMISSION MEETING MINUTES SUMMARY
Stonecrest City Hall's *Zoom Video* - 6:00 PM
February 1, 2022



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I. Call to Order

Chairman Eric Hubbard called the meeting to order at 6:00 PM.

II. Roll Call

Chairman Hubbard called the roll. Commissioners JW Eady, Joyce Walker, Pearl Hollis, and Cheryl Moore-Mathis were present. There was a quorum.

Planning & Zoning Director, Jim Summerbell, AICP, Senior Planner Keedra Jackson, and Attorney Alicia Thompson, Fincher Denmark, LLC were present.

The Chairman adjusted the Agenda and added item #1; and changed the order of #2 and #3:

- 1) Mayor Pro Tem George Turner;
- 2) IV. Presentation (**is now III. Presentation**); and
- 3) III. Approval of Minutes (**is now IV. Approval of Minutes**)

The Chairman asked for a motion. Mr. Eady motioned to **APPROVE THE ADJUSTMENTS**. Ms. Hollis and Ms. Walker seconded the motion. The vote was **unanimously APPROVED**.

Mayor Pro Tem Turner thanked the Chairman and Commissioners for what they do. It is not to be taken lightly, it is appreciated, and it is important to the city of Stonecrest. Some of the Commissioners have been on this commission since day one. Commissioner Cheryl Mathis is the newest member. Vice Chairman Eady has been on the commission since day one. The new council member Tara Graves wants to appoint Ms. Stephanie Brown to the Planning Commission in District 1. Ms. Brown must go to training, be sworn-in, and will replace Vice Chairman Eady. In the meantime, Vice Chairman Eady will continue to serve in his current role.

Mr. Eady responded to Mayor Pro Tem comments, "I am committed to Stonecrest...This is my retirement... I want to make sure that Stonecrest continually grow...I will continue to do everything to help in the mission."

Ms. Mathis called a **Point-of-Order** and spoke on the Municode referencing the elections of new officers.

III. Presentation: Mr. Summerbell, AICP, Planning and Zoning Director presented department activities and upcoming cases:

January 24th – City Councils deferred several items back to the Planning Commission:

- **AX-21-002** Annexation at 1724 Rogers Lake Rd, for truck gravel parking lot.
- **SLUP-21-005** 4460 Idlewood Park for an adult daycare
- **TMOD-21-013** Amendments to mitigate the potential conflicts between residential and industrial uses. This TMOD will be split into 3 TMODS:
 - **TMOD-21-002** Removal of light industrial uses from Tier 3 of the Stonecrest Area Overlay
 - **TMOD-21-003** Revision of residentially zoned land rezoned by DeKalb County from light industrial that is not used for residential purposes
 - **TMOD-21-004** Buffers for newly developed or rezoned residential tracts next to industrial uses
- **TMOD-21-016** Supplemental Uses. This TMOD will be split into 3 TMODS:
 - **TMOD-21-005** Towing and Wrecking Services
 - **TMOD-21-006** Distilleries and Breweries
 - **TMOD-21-007** **Solar Energy**

At the January 24th meeting, the Council requested that the Staff present to them, at their next work session, the consideration for revisions to the adult daycare supplemental use regulations.

Staff met with IDI Warehouses, off of Mountain Industrial Road. and reviewed the conditions of zoning that were in place on that property, back in the 80s, and it was realized that there are a couple of provisions that will and/or have to rezone conditions of zoning.

IV. Approval of Minutes

Chairman Hubbard called for a motion to approve the **Planning Commission Meeting Minutes Summary dated January 4, 2022**. Ms. Mathis motioned to **APPROVE**. Ms. Walker seconded the motion. The motion was **unanimously APPROVED**.

V. Old Business: None

VI. New Business

1. Public Hearing(s):

LAND USE PETITION:
 PETITIONER:
 LOCATION:

TMOD-21-017
 Planning & Zoning Department
 City-Wide

PROPOSED AMENDMENT:

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

Mr. Summerbell, Planning & Zoning Director presented **PETITION TMOD-21-017 (is now referred to as PETITION TMOD-22-001)**. Many amendments have been

made and many questions related to how the Zoning Ordinance reads and is interpreted since 2017. Twelve text amendments were adopted in 2021. The Municode is not up to date as of this writing report. Staff addressed this by preparing two versions of the code dated November 22, 2021 (can be found on the city website.) and the January 13, 2022, draft version.

Numerous terms describe the same land use and many terms used are not defined. There are additional definitions added to help with document clarity. **TMOD-22-001** is primarily a much-needed housekeeping that helps all gain a better understanding of the City's adopted Zoning Ordinance.

Staff recommends that the entire Zoning Ordinance be adopted as a whole as presented, or a newer version that incorporates any changes made by the City Council on January 24, 2022. If a newer version of the Zoning Ordinance is prepared, an addendum will be prepared and distributed, highlighting the final council actions. Staff recommended **APPROVAL TO THE CITY COUNCIL**.

The Chairman asked if there were any in support. There were none.

The Chairman asked if there were any in opposition. There were none.

The Chairman asked for a motion to close the public hearing before going into discussion.

The Chairman asked for a motion. Ms. Mathis motioned to **TABLE TMOD-22-0001 TO GET AN UPDATE FROM DIRECTOR SUMMERBELL**. Mr. Eady seconded the motion. The motion was **unanimously TABLED**.

VII. Public Comments

Secretary Lillian Lowe did not receive any public comments for the February 1, 2022, meeting.

VIII. Adjournment

The Chairman asked for a **motion to adjourn**. Commissioner Mathis motioned to adjourn the meeting at 6:32 PM. Mr. Eady seconded the motion. The vote was carried **unanimously to adjourn**.

Ms. Mathis recommended that her colleagues, the commissioners, all look into the Municode.

Follow the link to view the meeting: [2 1 2022 Planning Commission 6:00pm - YouTube](#)

APPROVED:

Chairman Date

ATTEST:

Secretary Date



Planning Commission

February 1, 2022

ATTACHMENT 1 TMOD-22-001

POWERPOINT PRESENTATION

by

Planning & Zoning Director, Jim Summerbell, AICP
Planning and Zoning Department



Planning Commission

February 1, 2022

1



Presentation on Upcoming Cases

2

Upcoming Cases

- At their regular meeting January 24, City Council deferred several items back to the Planning Commission including:
 - AX-21-002 Annexation at 1724 Rodgers Lake Rd, for a truck gravel parking lot,
 - SLUP-21-005 4460 Idlewood Park for an adult care
 - TMOD-21-013 Amendments to Mitigate the potential conflicts between residential and industrial uses. This TMOD will be split into 3 TMODs:
 - TMOD-22-002 Removal of light industrial uses from Tier 3 of the Stonecrest Area Overlay
 - TMOD-22-003 Revision of residentially zoned land rezoned by DeKalb County from industrial that is not used for residential purposes
 - TMOD-22-004 Buffers for newly developed or rezoned residential tracts next to industrial uses
 - TMOD-21-016 Supplemental Uses. This TMOD will also be split into 3 TMODs:
 - TMOD-22-005 Towing and Wrecking Services
 - TMOD-22-006 Distilleries and Breweries
 - TMOD-22-007 Solar Energy
- Council also would like staff at their next work session to consider revisions to the Adult Day Care supplemental regulations

3



TMOD-22-001 Standardization of Terms and Definitions

4

TMOD-22-001 Standardization of Terms and Definitions

Proposed amendment:

Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to standardize terms and definitions used throughout the Chapter and to clarify uses allowed in the districts.

Issues being addressed:

- Multiple terms used for the same use
- Missing definitions
- Too fine a detail in lists of allowed commercial uses
- Difficulty in reading the permitted use table
- General inconsistencies in cross references caused by multiple text amendments and changing section numbers

5

TMOD-22-001 Summary of Proposed Changes

- There is a 16-page Summary Table of all the changes to help guide the reviewer
- Changes can be found throughout the Zoning Ordinance, but specifically in Chapters 2, 3, 4, 6, 7 and 9
- Highlights of the changes include:
 - Use lists added to Chapter 2 under each of zoning district provisions
 - Updated Use Tables with the shorter list of uses
 - Listed of commercial uses were simplified
 - Some housekeeping items due to the multiple 2021 text amendments were also addressed such as section numbering, deletion of some outdated tables and clarification of terms

6

Zoning Ordinance with Proposed Text Amendments was included in your packet.

Note that TMOD-21-013 and TMOD-21-016 were not approved by the Council.

TMOD-21-014 and TMOD-21-015 were approved.



City of Stonecrest, Georgia
Code of Ordinances
Chapter 27 - Zoning Ordinance

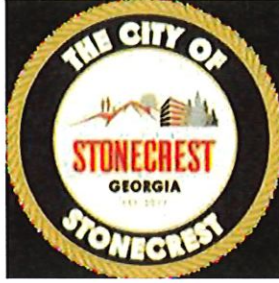
January 13, 2022 DRAFT

As codified in Municipal Code (September 13, 2022) with the addition of the following approved amendments:

- TMOD-19-004 - Telecommunications
- TMOD-19-005 - Party House Ordinance
- TMOD-19-006 - Small Box Retail Store Ordinance
- TMOD-21-001 - Outdated references to the Comprehensive Plan
- TMOD-21-002 - Personal Care Home Ordinance
- TMOD-21-003 - Gas Service Stations Ordinance
- TMOD-21-004 - Removal of Special Land Use Plan Exemptions in Overlay
- TMOD-21-005 - Allowance for Car Share/Share in the Business Area Overlay
- TMOD-21-006 - Replacement of outdated references to zoning districts in Stonecrest Area Overlay
- TMOD-21-007 - Private Permitting
- TMOD-21-008 - Administration
- TMOD-21-009 - Special Events
- TMOD-21-010 - Prohibited Uses
- TMOD-21-011 - Instructions on Residential Conversion of Industrial Buildings
- TMOD-21-012 - Street Parking

And proposed amendments as recommended for approval by Staff or the Planning Commission (highlighted):

- TMOD-21-013 - Mitigation between residential and industrial uses
- TMOD-21-014 - PC Administration
- TMOD-21-015 - Overlay and Base Zoning Conflict Mitigation
- TMOD-21-016 - Supplemental Uses
- TMOD-21-019 - Standardization of Definitions and Terms



STAFF REPORT

March 1, 2022

LAND USE PETITION:
PETITIONER:

AX-21-002

GBG 2 Lithonia Group, LLC on behalf of the
property owners Charles M. Bettis and J. Ed
Seagraves

LOCATION:

1724 Rodgers Lake Rd (Parcel ID 16 157 05 003)

PROPOSED AMENDMENT:

Proposed annexation of 19.28 acres and rezoning
from Light Industrial (M-DeKalb County) to Light
Industrial (M-City of Stonecrest) for a gravel parking
lot.



PLANNING & ZONING STAFF REPORT

AX-21-002

Meeting Date March 1, 2022

GENERAL INFORMATION

Petition Number:	AX-21-002
Applicant:	GBG 2 Lithonia Group, LLC
Owners:	Charles M. Bettis and J. Ed Seagraves
Project Location:	1724 Rodgers Lake Rd (Parcel ID 16 157 05 003)
City Council District:	District 1
Acreage:	19.68 acres
Existing Zoning:	Light Industrial (M – DeKalb County)
Proposed Zoning:	Light Industrial (M – City of Stonecrest)
Comprehensive Plan Character Area Designation: Map)	Light Industrial (DeKalb County 2035 Future Land Use
Proposed Development/Request:	The applicant is requesting to annex into the City of Stonecrest for the purpose of development a Gravel Parking Lot. As part of this annexation the subject property would be rezoned to Light Industrial (M – City of Stonecrest) and would be designated on the Stonecrest Future Land Use Map as Light Industrial Character area.
Staff Recommendations:	Approval
Planning Commission:	Approval, December 7, 2021
City Council:	Deferred the petition back to Planning Commission January 24, 2022



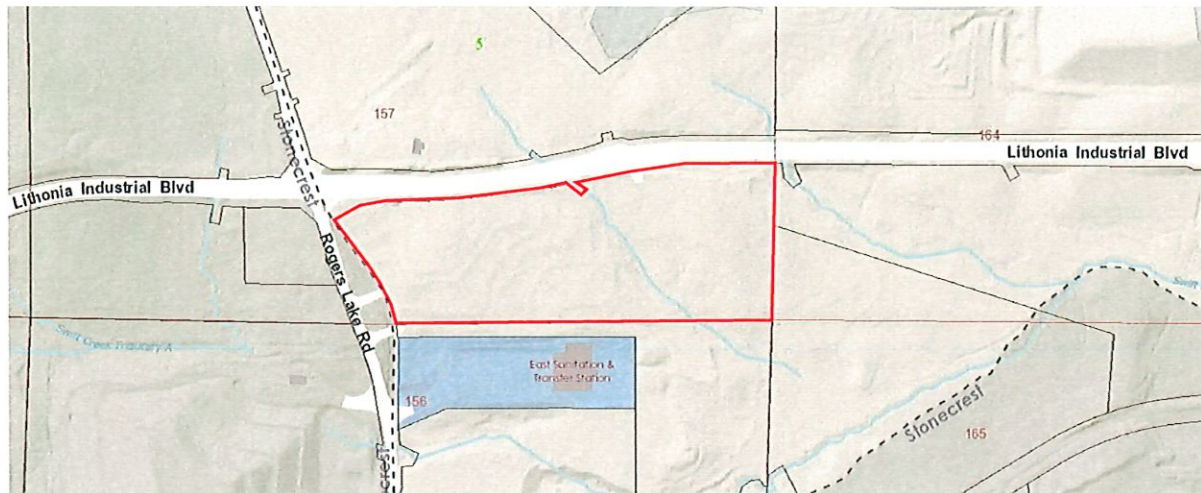
PLANNING & ZONING STAFF REPORT

AX-21-002

PROJECT OVERVIEW

Location. The subject property is located at the southeast corner of the intersection of Rodgers Lake Road and Lithonia Industrial Boulevard, on the north side of the city. It is currently undeveloped and wooded with a stream running through the middle of the parcel. The surrounding area is industrial, with a landfill located west of the site and a county sanitation and transfer station to the south.

Location map, AX-21-002



The subject property and all surrounding parcels are zoned industrial, either in DeKalb County or City of Stonecrest. The property to the south is heavy industrial (M-2) while all the other parcels are zoned light industrial (M). The future land use map for DeKalb County shows this property as Light Industrial.

The city boundary is located along the western side of the subject property and meets the one-eight contiguous area requirement for the 100 percent annexation method as allowed under state law by Article 2 of Chapter 36, Title 36, of the Official Code of Georgia Annotated,

Background

GBG 2 Lithonia Group would like to build a gravel parking lot pursuant to Section 6.1.3 of the Stonecrest Zoning Ordinance, which was recently revised per TMOD-21-012 by the City Council on November 22, 2021. The county zoning code does not allow gravel parking for trucks thus the desire for the annexation. The applicant and their legal counsel met with city staff and Councilman Jimmy Clanton on October 5, 2021 for a pre-application meeting. It was made clear at the meeting that city was in the process of updating their parking requirements and that the applicant would need to meet these requirements to the letter and construct a "model" gravel parking per the new standards if the annexation was approved.



PLANNING & ZONING STAFF REPORT

AX-21-002

Public Participation

A community planning information meeting was held on November 30 at 6 PM when the proposed annexation was discussed. The meeting was hosted by the City on Zoom and broadcasted on YouTube. Merits of the case that were brought up include:

- The fact that the applicant GBG 2 Lithonia Group already operates a gravel parking lot in the city and its well maintained and constructed.
- The surrounding area is totally industrial with no potential impacts on residential uses.
- The parking lot would expand the city's commercial tax base benefiting the city's budget

Opposition to the case included:

- The potential impact on environment, removing trees on an undeveloped lot, and possible contamination to the stream running through the site from runoff.
- Additional truck traffic and impact on local road conditions.
- Fears that the site would not be maintained as required by the code.

STANDARDS OF ANNEXATION REVIEW

An annexation request includes both a comprehensive plan amendment and a rezoning. Section 7.3.4 of the Zoning Ordinances lists seven factors to be considered in a technical review of a comprehensive plan amendment and Section 7.3.5 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case. The two sets for factors are basically identical with the exception that in reviewing a rezoning, decision makers need to consider the conformity with the policies and intent of the comprehensive plan. Each of the eight rezoning standards for review are listed with staff analysis below.

A. Whether the proposal is in conformity with the policy and intent of the comprehensive plan.

The subject property is located within the Light Industrial character area of the DeKalb County Comprehensive Plan, in keeping with the surrounding uses and current zoning, and in similar fashion the proposed land use designation on the Stonecrest Future Land Use Plan would be Light Industrial. The economic policies of the city's plan encourage the attraction of and recruitment of new businesses (Goal ED-1), and the goals and policies for industrial uses call for locating industrial development away from environmentally sensitive areas, minimizing the encroaching effect of industrial development and expansion in areas already developed for industrial uses with existing public infrastructure, and the encourage development of vacant industrial land (Goal LU-8).



PLANNING & ZONING STAFF REPORT

AX-21-002

The Light Industrial character area intends to identify areas that are appropriate for industrial type uses. The location of these areas shall preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses. These areas consist of areas used in low intensity manufacturing, including wholesale trade, and distribution activities that do not generate excessive noise, vibration, air pollution or other nuisance characteristics.

The proposed light industrial use is keeping with existing character and use of the area, the city's zoning map, and the goals of the Comprehensive Plan and its Future Land Use Map.

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

The area surrounding the site is industrial, and the proposed use is in keeping with the existing development of adjacent and nearby properties.

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

The zoning is essentially remaining the same, and so it does have economic use. The applicant is seeking to come into Stonecrest to allow the building of a gravel parking lot, which is currently not allowed in DeKalb County's Light Industrial (M) zoning, but is in the City's Light Industrial (M) zoning.

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

The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties.

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

The city has recently revised its requirements for gravel parking lots, and the applicant is willing to meet

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

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



PLANNING & ZONING STAFF REPORT

AX-21-002

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

Due to the low impact nature of the intended use, which contains no housing or requires any water or sewer hookups. The proposal will not cause an excessive or burdensome on utilities or have any demands on schools. Roads access to the property is already designed for truck traffic, and no transportation improvements are necessary to accommodate the use.

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

If the proposed use is designed and maintained as required by city and state regulations, the use should not have adverse impact on the environment or surrounding resources.

STAFF RECOMMENDATION

The applicant meets all the criteria for approval. Therefore, staff recommends **APPROVAL** of **AX-21-002**

Attachments:

1 – AX-21-002 Application



STAFF REPORT

March 1, 2022

LAND USE PETITION:

PETITIONER:

LOCATION:

PROPOSED AMENDMENT:

TMOD-22-002

Planning & Zoning Department

Citywide

Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to remove light industrial uses from Tier 3 of the Stonecrest Area Overlay



PLANNING & ZONING STAFF REPORT

MEETING DATE: March 1, 2022

GENERAL INFORMATION

- Petition Number:** TMOD-22-002
- Applicant:** Stonecrest Planning and Zoning Department
- Project Location:** City-Wide
- Proposed amendment:** Amendment to Stonecrest Zoning Ordinance, Chapter 27, to 27 to remove light industrial uses from Tier 3 of the Stonecrest Area Overlay.

FACTS AND ISSUES:

- The city council has already adopted two text amendments that help to mitigate the potential impacts between residential and industrial land uses, in particular TMOD-21-010 and TMOD-21-011.
 - TMOD-21-010 placed prohibitions on certain heavy industrial activities in the city and removed residential land uses from industrial zones on the permitted land use table
 - TMOD-21-011 which revised the intent and purpose of the industrial zoning districts to discourage the conversion of industrial buildings to residential uses.
- This text modification offers several additional measure to help in this effort to mitigate potential conflicts between residential and industrial uses. This measure is to remove the those uses allowed in the M district from being permitted to develop in Tier 3 of the Stonecrest Area Overlay.

Staff Recommendation: Approval of TMOD-22-002

Previous Actions:

- (1) The Planning Commission heard this item previously on December 7, 2021, as part of TMOD-21-013, and the Planning Commission recommended **Deferral**.
- (2) The City Council heard this item, again as part of TMOD-21-013, on January 24, 2022, and took action to **Defer the item back to the Planning Commission**.



PLANNING & ZONING STAFF REPORT

TMOD-22-002

STONECREST ZONING ORDINANCE UPDATE

Modification of Stonecrest Area Overlay, Tier 3 authorized use list.

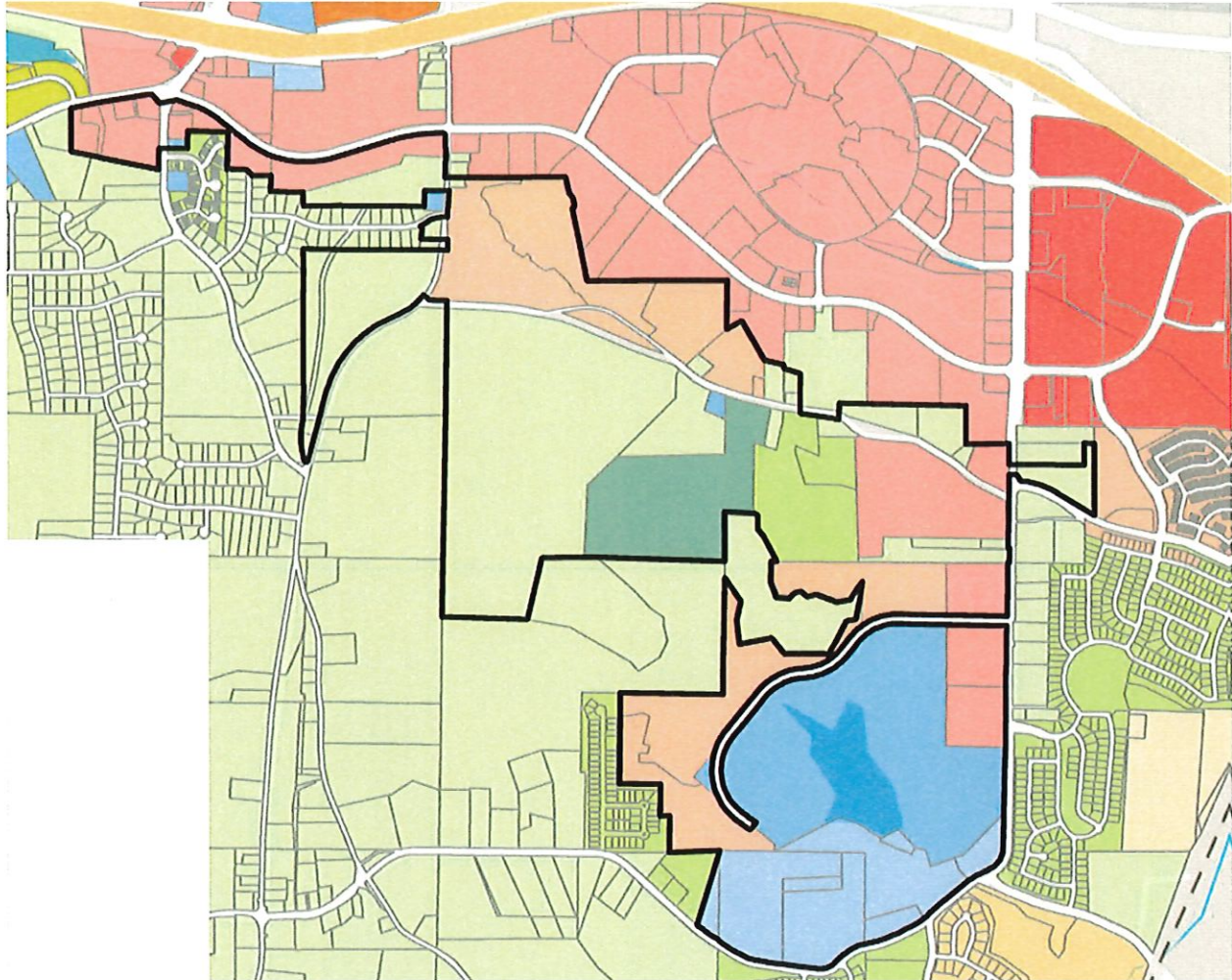
Proposal: Remove light industrial zoning (M) from the list of authorized uses in Tier 3 of the Stonecrest Area Overlay.









Reasons for proposal:

- One potential source of potential conflicts between residential and industrial uses is the permitted use list for Tier 3 of the Stonecrest Area Overlay. Tier 3 is the Low Rise Mixed Use Zone for which Sub-section 3.5.15.A. authorizes all uses allowed in the M – light industrial district to be developed by right, along with all uses allowed in C-1, C-2, O-I, OD, and MR-2, see Section.
- MR-2, Medium Density Residential District, in particular, allows a variety of residential uses, including single family homes, multi-family homes, and townhouses. And several such residential development have been built or proposed under this authorization.
- No industrial uses have yet to be built in Tier 3, despite the allowance to do so, but certainly could, which could cause potential land use conflict due to noise, truck traffic, and emissions. See underlying zoning map for Tier 3 on the following page.

PLANNING & ZONING STAFF REPORT

Stonecrest Area Overlay, Tier 3 and underlying zoning



- | | |
|---|--|
|  C-1 - Local Commercial |  R-100 - Residential Med Lot |
|  C-2 - General Commercial |  R-85 - Residential Med Lot |
|  OIT - Office/Institutional/Transitional |  R-60 - Residential Small Lot |
|  OI - Office/Institutional |  RSM - Small Lot Residential |
|  OD - Office/Distribution |  MR-1 - Med Density Residential |
|  MU-4 - Mixed-Use High Density |  MR-2 - Med Density Residential |



PLANNING & ZONING STAFF REPORT

- The general Overlay Regulations contained in Sec. 3.1.1. also allows any use permitted in the underlying zoning to be built as long as they are not listed as a prohibited use in the Overlay. As the underlying zoning map for Tier 3 shows there are four zoning districts currently within Tier which are not on the authorized district list just described in Sub-section 3.5.15.A. The underlying but non-authorized zoning districts include MR-1, MU-4, RSM, and R-100. It should be noted that no parcels are currently zoned M in Tier 3.

RECOMMENDED TEXT CHANGES: To remove the potential for a land use conflict between residential and industrial land uses. Revise Section 3.5.15 – Low rise mixed use zone (Tier III) of the Stonecrest Area Overlay as shown below in track changes.

Sec. 3.5.15. - Low-rise mixed-use zone (Tier III).

A. Permitted uses and structures. The principal uses of land and structures allowed in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District are as provided below:

1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office Distribution) District, M (Light Industrial) District, and MR-2 (Medium Density Residential) District except those listed in B., below.



STAFF REPORT

March 1, 2022

LAND USE PETITION:

PETITIONER:

LOCATION:

PROPOSED AMENDMENT:

TMOD-22-003

Planning & Zoning Department

Citywide

Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to allow for the revision of residentially zoned land rezoned by DeKalb County from industrial that is not used for residential purposes



PLANNING & ZONING STAFF REPORT

MEETING DATE: March 1, 2022

GENERAL INFORMATION

- Petition Number:** TMOD-22-003
- Applicant:** Stonecrest Planning and Zoning Department
- Project Location:** City-Wide
- Proposed amendment:** Amendment to Stonecrest Zoning Ordinance, Chapter 27, to allow for the reversion of residentially zoned land rezoned by DeKalb County from industrial that is not used for residential.

FACTS AND ISSUES:

- The city council has already adopted two text amendments that help to mitigate the potential impacts between residential and industrial land uses, in particular TMOD-21-010 and TMOD-21-011.
 - TMOD-21-010 placed prohibitions on certain heavy industrial activities in the city and removed residential land uses from industrial zones on the permitted land use table
 - TMOD-21-011 which revised the intent and purpose of the industrial zoning districts to discourage the conversion of industrial buildings to residential uses.
- This text modification offers an additional measure to help in this effort to mitigate potential conflicts between residential and industrial uses. This measure is to allow the reversion of currently residentially zoned parcels that were zoned from industrial by DeKalb County many years ago and which are no longer used for residential purposes back to industrial zoning. In other words, change the zoning of parcels that are not used for residential purposes back to industrial following the process allowed for a city-initiated rezoning.

Staff Recommendation: Approval of TMOD-22-003

Previous Actions:

- (1) The Planning Commission heard this item previously on December 7, 2021, as part of TMOD-21-013, and the Planning Commission recommended **Deferral**.



TMOD-22-003

PLANNING & ZONING STAFF REPORT

(2) The City Council heard this item, again as part of TMOD-21-013, on January 24, 2022, and took action to **Defer the item back to the Planning Commission.**

PLANNING & ZONING STAFF REPORT

TMOD-22-003

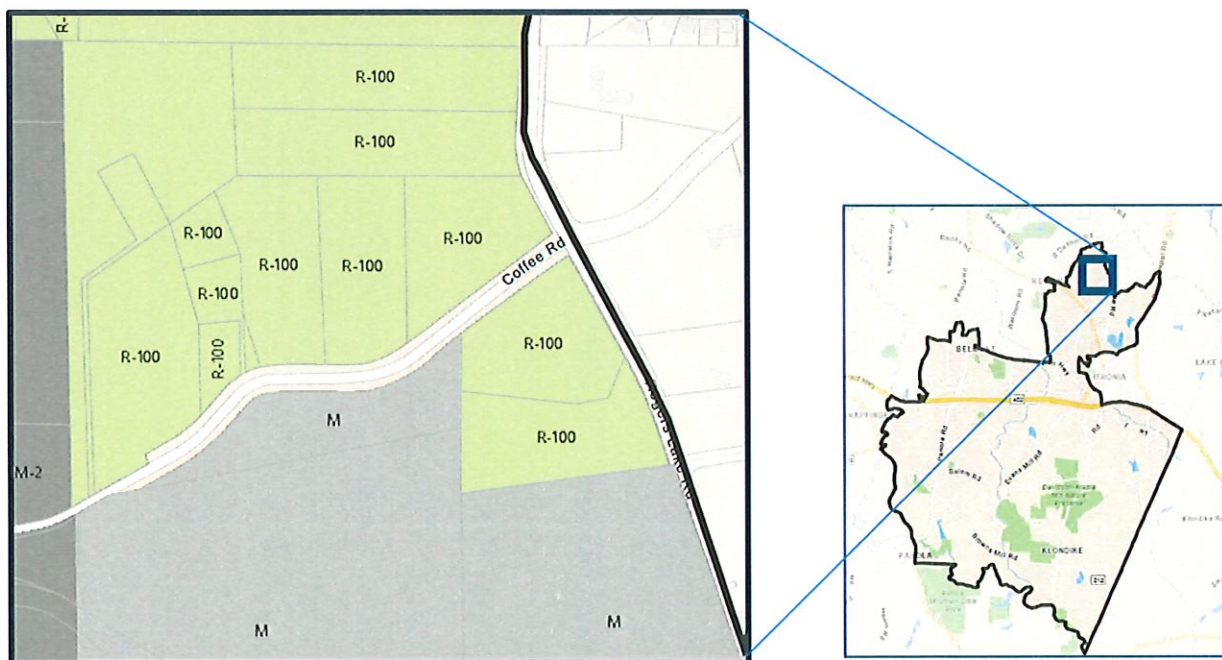
STONECREST ZONING ORDINANCE UPDATE

Reversion of previously zoned industrial property.

Proposal: Add new section providing that residential parcels which have not been used as residences for twelve months, or which have been used for industrial purposes for twelve months, may after city initiated rezoning revert back to industrial zoning, if they formerly were rezoned to residential from industrial by DeKalb County.

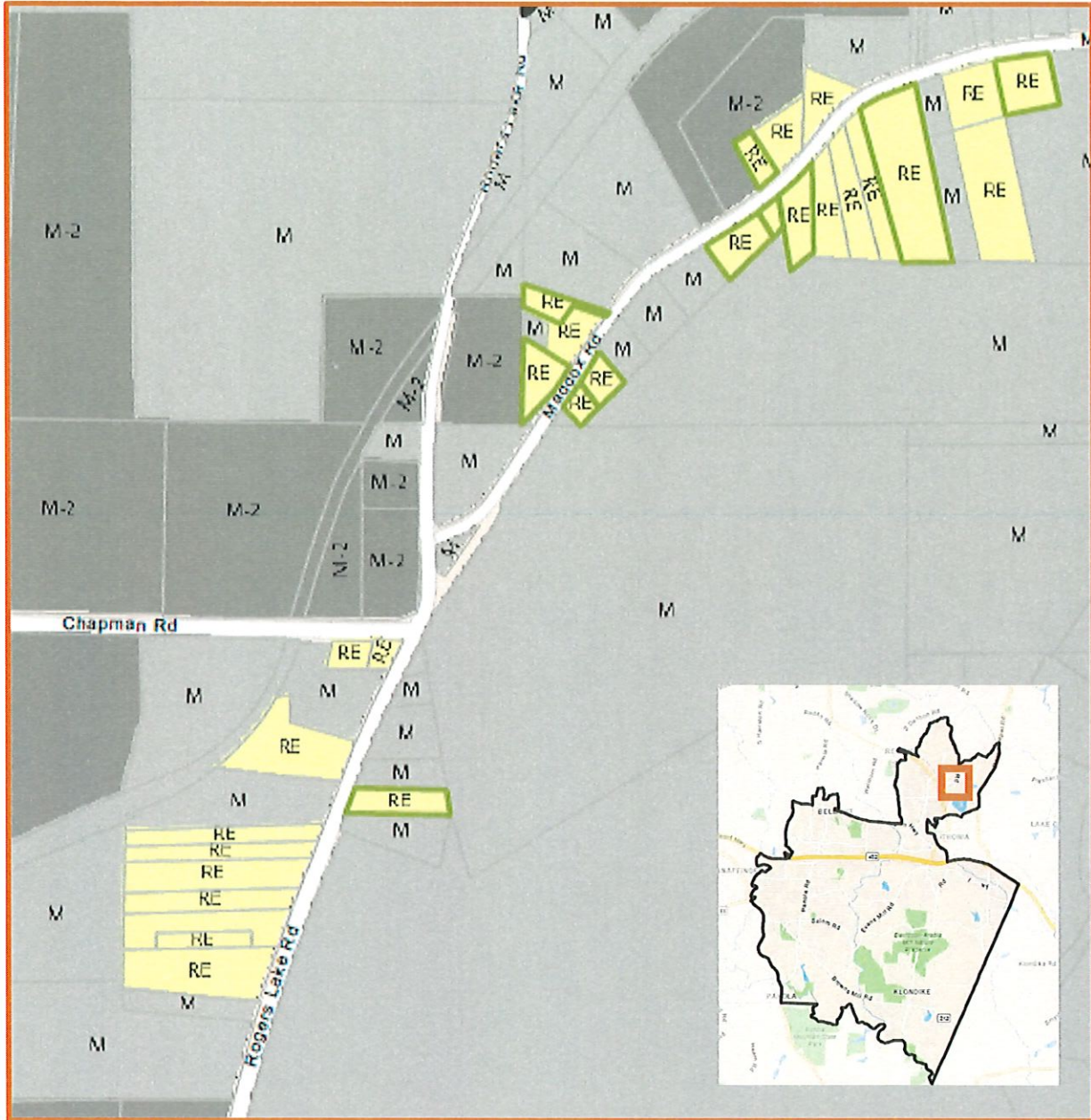
Reason for proposal: There are several parcels along Maddox Road, Rogers Lake Road and Coffee Road which were spot-zoned from the M (Light Industrial) District to residential in 1979, despite opposition from County planning staff due to questions about their future viability as residential. Those questions were well-founded. The properties remain surrounded by or near Light Industrially zoned properties. The rezoning to residential for many of this parcels has failed, either because houses on them are now derelict and abandoned or because the properties are being illegally used for industrial purposes.

Zoning Map of the Coffee Road Area



PLANNING & ZONING STAFF REPORT

Zoning Map of the Maddox Road Area

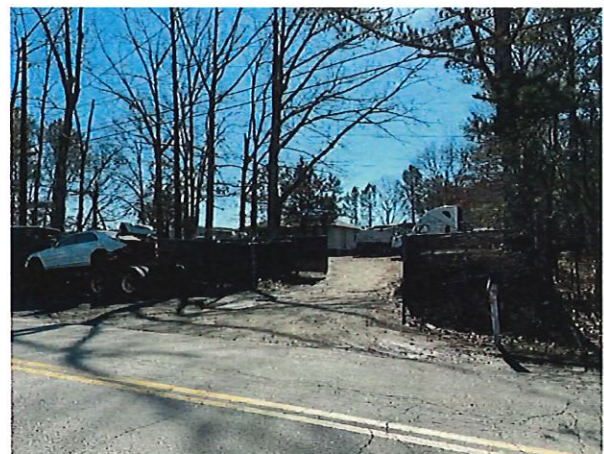
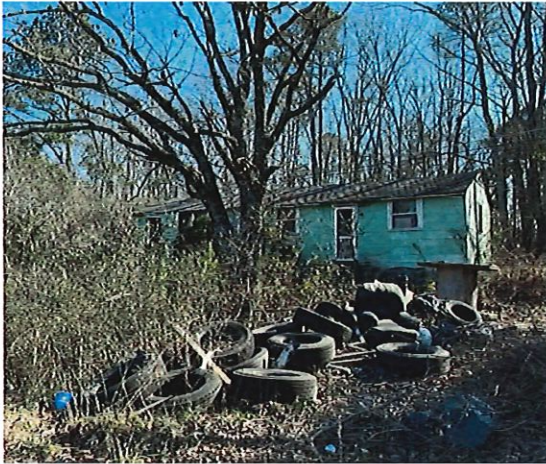


Key: The parcels outlined in green are not currently being used for residential purposes.

PLANNING & ZONING STAFF REPORT

Examples of residentially zoned parcels not used for residential purposes:

- 6965 Maddox Road, Parcel 16 156 03 006. Derelict former residence.
- 6964 Maddox Road, Parcel 16 156 02 009. Derelict building.
- 6975 Maddox Road, Parcel 16 156 03 005. House has been destroyed by fire
- 7045 Maddox Road, Parcel 16 156 03 008. Derelict building
- 6978 Maddox Road, Parcel 16 156 02 014. Used industrially
- 7056 Maddox Road, Parcel 16 156 02 024. Used industrially
- 7157 Maddox Road, Parcel 16 165 03 013. Used industrially
- 7059 Maddox Road, Parcel 16 156 03 013. Vacant, with no building
- 7067 Maddox Road, Parcel 16 156 03 010. Vacant, with no building
- 7117 Maddox Road, Parcel 16 156 03 012. Vacant, with no building





PLANNING & ZONING STAFF REPORT

PART 2 RECOMMENDED TEXT CHANGES:

[NEW]

Sec. 1.1.17. – Reversion of parcels which were rezoned from industrial to residential.

Any parcel which was rezoned by DeKalb County prior to incorporation from industrial to residential at the request of the owner, and is subsequently vacant for twelve months or is partly or entirely used for industrial purposes for twelve months shall be deemed to have reverted to the prior industrial zoning. Upon determining that a reversion has taken place, the planning director shall notify the property owner and shall begin a city-initiated rezoning of the property back to industrial for Planning Commission recommendation and City Council action. Proof of the reversion must be included in the rezoning staff report.



STAFF REPORT

March 1, 2022

LAND USE PETITION:

PETITIONER:

LOCATION:

PROPOSED AMENDMENT:

TMOD-22-004

Planning & Zoning Department

Citywide

Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to require buffers for newly developed or rezoned residential tracts next to industrial uses.



PLANNING & ZONING STAFF REPORT

MEETING DATE: March 1, 2022

GENERAL INFORMATION

- Petition Number:** TMOD-22-004
- Applicant:** Stonecrest Planning and Zoning Department
- Project Location:** City-Wide
- Proposed amendment:** Amendment to Stonecrest Zoning Ordinance, Chapter 27, to mitigate the potential land use conflicts between residential and industrial land uses.

Facts and Issues:

- The city council has already adopted two text amendments that help to mitigate the potential impacts between residential and industrial land uses, in particular TMOD-21-010 and TMOD-21-011.
 - TMOD-21-010 placed prohibitions on certain heavy industrial activities in the city and removed residential land uses from industrial zones on the permitted land use table
 - TMOD-21-011 which revised the intent and purpose of the industrial zoning districts to discourage the conversion of industrial buildings to residential uses.
- This text modification offers an additional measure to help in this effort to mitigate potential conflicts between residential and industrial uses. This measure is to require a Special Land Use permit for properties being rezoned for residential uses adjacent to industrial zoned properties where adequate transitional buffers are not in place.

Staff Recommendation: Approval of TMOD-22-004

Previous Actions:

- (1) The Planning Commission heard this item previously on December 7, 2021, as part of TMOD-21-013, and the Planning Commission recommended **Deferral**.
- (2) The City Council heard this item, again as part of TMOD-21-013, on January 24, 2022, and took action to **Defer the item back to the Planning Commission**.



PLANNING & ZONING STAFF REPORT

TMOD-22-004

STONECREST ZONING ORDINANCE UPDATE

SLUP requirement for residential development adjacent to industrial zones.

Proposal: Add new section requiring a Special Land Use Permit for new residential development adjoining to industrial.

Reason for Proposal: Locating new residential adjoining to industrial land creates potential conflicts. Moreover, there currently is no public hearing process for the adjoining industrial owner to be notified of the proposed residential development; to be apprised of the plans for the development; and to obtain a public hearing on the merits of the residential development and the potential negative impact on the industrial property and the public welfare. Imposing a SLUP requirement on residential development will require a full, public staff analysis and a full public hearing before City Council, with an opportunity for members of the Stonecrest Community and the adjoining industrial owners to be heard.

RECOMMENDED TEXT CHANGES:

[NEW]

Sec. 4.2.62. – Special Land Use Permit (SLUP) required for residential development adjoining to industrial.

A special land use permit shall be required for any proposed residential development or construction which is adjoining to industrially zoned parcel(s), unless one or more of the following criteria are met:

- A. A one hundred fifty (150) foot undisturbed transitional buffer zone exists or will be observed along the adjoining property line. The buffer zone may be within the residential parcel, the industrial parcel, or both.
- B. The industrial parcel is separated from the residentially zoned parcel by a stream buffer.
- C. The residential parcel is protected by conditions of zoning which were previously imposed on the industrial parcel for the purpose of protecting residential parcels.
- D. The residential parcel was rezoned from industrial to residential at the request of a present or former property owner and conditions of rezoning were imposed on the residential parcel for the purpose of protecting the residential parcel.



STAFF REPORT

March 1, 2022

LAND USE PETITION:

PETITIONER:

LOCATION:

PROPOSED AMENDMENT:

TMOD-22-005

Planning & Zoning Department

Citywide

Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for Towing and Wrecking Services



PLANNING & ZONING STAFF REPORT

MEETING DATE: March 1, 2022

GENERAL INFORMATION

Petition Number: TMOD-22-005

Applicant: Stonecrest Planning and Zoning Department

Project Location: City-Wide

Proposed amendment: Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 4, revisions to supplemental use provisions for Towing and Wreckage Services.

Facts and Issues:

- The City Council directed staff to improve the screening requirements for Towing and Wreckage Services sites to improve community aesthetics.
- The idea is to screen them similar to how the code currently requires the screening of gravel parking lots.

Staff Recommendation: Approval of TMOD-22-005

Previous Actions:

- (1) The Planning Commission heard this item previous on December 7, 2021 as part of TMOD-21-016, and the Planning Commission recommended **Deferral**.
- (2) The City Council heard this item, again as part of TMOD-21-016, on January 24, 2022, and took action to defer the item back to the Planning Commission.

ATTACHMENTS:

1. Revisions to the Zoning Ordinance related to Towing and Wreckage Services

TMOD-22-005

STONECREST ZONING ORDINANCE UPDATE

Revisions to the Supplemental Use Regulations related to Towing and Wreckage Services

[NEW, Section number is temporary and to be set after adoption]

Sec. 4.2.64 Towing Wreckage Service

- A. This provision does not apply to vehicle storage yards, used motor vehicle dealerships, used motor vehicle parts dealerships, or automobile salvage yards.
- B. Records showing the arrival of each vehicle at a tow service property or an automobile recovery and storage facility must be kept by the owner/operator of a business.
- C. All wrecked or inoperable vehicles shall be drained of all liquids, including but not limited to gasoline, diesel, transmission fluid, brake fluid, and engine oil, within forty-eight (48) hours of delivery to tow service properties or automobile recovery and storage facilities.
- D. Any area of the site used for the short-term storage of motor vehicles shall be screened from view of the public street with an opaque corrugated metal fence or wall adequate in heights to screen the motor vehicles from view from the public rights-of-way. This would be a minimum of ten feet in height if trucks are being stored on site, and only six feet in height if only cars are be stored on site. Chain link and wooden fences along street frontage are prohibited.
- E. The parking area shall be at least 25 feet from the street right-of-way.
- F. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least two rows of trees. All trees shall be a least six feet in height and/or two inches caliber, and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched
- G. The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met.
- H. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality.



STAFF REPORT

March 1, 2022

LAND USE PETITION:

TMOD-22-006

PETITIONER:

Planning & Zoning Department

LOCATION:

Citywide

PROPOSED AMENDMENT:

Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for Distilleries and Breweries



PLANNING & ZONING STAFF REPORT

MEETING DATE: March 1, 2022

GENERAL INFORMATION

- Petition Number:** TMOD-22-006
- Applicant:** Stonecrest Planning and Zoning Department
- Project Location:** City-Wide
- Proposed amendment:** Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 4, revising the supplemental use provisions, regarding Micro-Distilleries, Craft Distilleries, Craft Breweries, Brew Pubs, and Beer Growlers.

Facts and Issues:

- The Zoning Ordinance permits several uses that need further definition and supplemental use criteria for proper administration.
- Distillery and brewery related uses should be defined by scale of operation and type of customer interaction, making distinction between commercial use and industrial use.

Staff Recommendation: Approval of TMOD-22-006

Previous Actions:

- (1) The Planning Commission heard this item previous on December 7, 2021 as part of TMOD-21-016, and the Planning Commission recommended **Deferral**.
- (2) The City Council heard this item, again as part of TMOD-21-016, on January 24, 2022, and took action to **Defer the item back to the Planning Commission**.

Attachment:

1. Revisions to the zoning Ordinance related to Distillery and Brewery related uses

TMOD-22-006

STONECREST ZONING ORDINANCE UPDATE

Revisions to the Zoning Ordinance related to Distillery and Brewery related uses

A. Add definitions of brewery and distillery related uses

Proposal: To clarify the terms and definitions used to describe land uses associated with breweries and distilleries found in Article 9, Definitions, Sec 9.1.3 Defined terms.

Brewpub means any eating establishment which derives at least 50 percent of its total annual gross food and beverage revenue from the sale of prepared meals and food and in which beer or malt beverages are manufactured or brewed subject to the barrel production limits and regulations under state law.

Brewery, Craft (also known as micro-brewery) means a building or group of buildings where beer is brewed, bottled, packaged, and distributed for wholesale and/or retail distribution, and that produces small amounts of beer or malt beverage, less than 12,000 barrels in a calendar year. Much smaller than large-scale corporate breweries, these businesses are typically independently owned. Such breweries are generally characterized by their emphasis on quality, flavor and brewing technique.

Brewery, Large Scale means a building or group of buildings where beer is brewed, bottled, packaged, and distributed for wholesale and/or retail distribution, and that produces more than 12,000 barrels in a calendar year.

Distillery, Craft (also known as micro-distillery) means a building or group of buildings where distilled spirits are manufactured (distilled, rectified or blended), bottled, packaged, and distributed for wholesale and/or retail distribution in small quantity, less than 12,000 barrels per calendar year and in which such manufactured distilled spirits may be sold for consumption on the premises and consumption off premises, subject to the limitations prescribed in O.C.G.A. § 3-5-24.2.

Distillery, Large-scale means a building or group of buildings where distilled spirits are manufactured (distilled, rectified or blended), bottled, packaged, and distributed for wholesale and/or retail distribution in large quantity, more than 12,000 barrels per calendar year.

Growler means a professionally sanitized reusable container not exceeding 64 ounces in volume used to transport draft beer for off-premises consumption.

Growler Store means a retail store that sales growlers

Micro brewery, see Craft brewery.

B. Revise the Permitted Use Table, Sec. 4.1.3 with regard to brewery and distillery related uses

Brewery and distillery related uses are only permitted with certain commercial, mixed-use and industrial land use categories as shown in the modified use table below. Note brewpubs/Brew Growlers are already listed in the Permitted use table

	NS	C-1	C-2	M	M-2	MU Districts	See Section 4.2
Brewpub/ Beer Growler, accessory	P	P	P	P		P	
Brewery, Craft		P	P	P		SP	✓
Distillery, Craft		P	P	P		SP	✓
Brewery, Large scale					P		
Distillery, Large scale					P		

C. Add supplemental use regulations regarding Craft Distilleries and Craft Breweries

[NEW, Section number is temporary and to be set after adoption]

Sec. 4.2.63 Craft breweries and Craft distilleries

- A. Shall be subject to all regulations of Chapter 4 of the Stonecrest Code of Ordinances concerning alcoholic beverages:
- B. Shall be a maximum of 20,000 square feet.
- C. No outdoor public address system shall be permitted



STAFF REPORT

March 1, 2022

LAND USE PETITION:

PETITIONER:

LOCATION:

PROPOSED AMENDMENT:

TMOD-22-007

Planning & Zoning Department

Citywide

Amendment to the Stonecrest Zoning Ordinance, Chapter 27 to revise supplemental use provisions for Solar Energy



PLANNING & ZONING STAFF REPORT

MEETING DATE: March 1, 2022

GENERAL INFORMATION

- Petition Number:** TMOD-21-007
- Applicant:** Stonecrest Planning and Zoning Department
- Project Location:** City-Wide
- Proposed amendment:** Amendment to Stonecrest Zoning Ordinance, Chapter 27, Article 4, revising the supplemental use provisions regarding Solar Energy.

FACTS AND ISSUES:

- The Zoning Ordinance permits several uses that need further definition and supplemental use criteria for proper administration.
- Solar energy generation as a accessory use does exist in community but there is no definition or regulations regarding their use.

Staff Recommendation: Approval of TMOD-21-016

Previous Actions:

- (1) The Planning Commission heard this item previously on December 7, 2021, as part of TMOD-21-016, and the Planning Commission recommended **Deferral**.
- (2) The City Council heard this item, again as part of TMOD-21-016, on January 24, 2022, and took action to **Defer the item back to the Planning Commission**.

Attachment:

1. Revisions to the Zoning Ordinance with regard to Solar Energy Systems

TMOD-22-007
STONECREST ZONING ORDINANCE UPDATE

Revisions to the Zoning Ordinance related to Solar Energy Systems

A. Add New Definitions related to Solar Energy Systems, Sec. 9.1.3

1. Solar Energy System: Solar Energy System (SES) means a device or structural design feature that provides for the collection of solar energy for electricity generation, consumption, or transmission, or for thermal applications. For purposes of this ordinance, SES refers only to (1) photovoltaic SESs that convert solar energy directly into electricity through a semiconductor device or (2) solar thermal systems that use collectors to convert the sun’s rays into useful forms of energy for water heating, space heating, or space cooling. SES as used here excludes concentrated solar power, which uses mirrors to focus the energy from the sun to produce electricity. The following are the types of permitted SES’s:

- A. Integrated Solar Energy System means an SES where solar materials are incorporated into building materials, such that the two are reasonably indistinguishable, or where solar materials are used in place of traditional building components, such that the SES is structurally an integral part of a house, building, or other structure. An Integrated SES may be incorporated into, among other things, a building facade, skylight, shingles, canopy, light, or parking meter.
- B. Rooftop Solar Energy System means an SES that is structurally mounted to the roof of a house, building, or other structure and does not qualify as an Integrated SES.
- C. Ground Mounted Solar Energy System means an SES that is structurally mounted to the ground and does not qualify as an Integrated SES. For purposes of the Stonecrest zoning code, any solar canopy that does not qualify as an Integrated SES shall be considered a Ground Mounted SES, regardless of where it is mounted.

The Footprint of a Ground Mounted SES is calculated by drawing a perimeter around the outermost SES panels and any equipment necessary for the functioning of the SES, such as transformers and inverters. The Footprint does not include any visual buffer or perimeter fencing. Transmission lines (or portions thereof) required to connect the SES to a utility or consumer outside the SES perimeter shall not be included in calculating the Footprint. Ground Mounted SESs shall be delineated by size as follows:

- Small Scale Ground Mounted Solar Energy System (Small Scale SES) means a Ground Mounted SES with a Footprint of less than two [2] acres.
- Intermediate Scale Ground Mounted Solar Energy System (Intermediate Scale SES) means a Ground Mounted SES with a Footprint of between [2 – 15] acres.
- Large Scale Ground Mounted Solar Energy System (Large Scale SES) means a Ground Mounted SES with a Footprint of more than [15] acres.

B. Revisions to the Supplemental Use Regulations related to Solar Energy Systems

[NEW, Section number is temporary and to be set after adoption]

Sec. 4.2.65 Solar Energy Systems, Principal Use

Principal solar energy systems (SES) shall be subject to the following standards:

- A. *Permitting.* No principal SES shall be constructed without issuance of a building permit except for a repair or modification of an existing SES that does not increase the spatial coverage of the SES by more than ten percent and does not encroach on any required building height or setback limits of the applicable zoning district.
- B. *UL-approved SES electric components.* Electric components shall have an Underwriters Laboratory listing.
- C. *Height.* Principal solar energy systems shall not exceed 20 feet in height when oriented at maximum tilt. Height of ground- or pole-mounted SES shall be computed separately for each unit or structure except power transmission poles or towers.
- D. *Setbacks.* Ground-mounted or pole-mounted principal SES and supportive buildings and structures except electric transmission poles shall provide a minimum setback of 30 feet from all property lines.
- E. *Buffers.* All principal SES solar collection units and supportive buildings and structures except electric transmission poles shall be screened from view from public rights-of-way and abutting properties by a 25-foot wide vegetative buffer that is continuous around the perimeter of the property except for perpendicular crossings of approved driveways and utilities. The vegetative buffer shall provide a visually opaque screen not less than 20 feet in height at maturity.
- F. *Security.*
 1. The perimeter of the site of a principal SES shall be secured by an eight-foot tall security fence or wall that is constructed on the inside boundary of the required 25-foot buffer. Driveway entrances shall be gated.
 2. The operator must provide the City Police Department with a 24-hour contact responsible for operations.

[NEW, Section number is temporary and to be set after adoption]

Sec. 4.2.66 Solar Energy Systems, Accessory Use

A. *Nonresidential.* Active solar energy systems shall be allowed as an accessory limited use in all commercial or industrial zoning districts under the following standards:

1. *Roof-mounted solar systems.* In addition to the building setback, the collector surface and mounting devices for roof-mounted solar systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built.
 - a. Pitched roof-mounted solar systems. For all roof-mounted systems other than a flat roof the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.
 - b. Flat roof-mounted solar systems. For flat roof applications a drawing shall be submitted showing the distance to the roof edge and any parapets on the building.
 - c. The underlying zoning district maximum height for these systems shall be complied with.
2. *Ground-mounted solar systems.* Ground-mounted solar energy systems shall meet the minimum zoning setback for the zoning district in which located, or 25 feet, whichever is strictest. The height of the structure(s) shall not be taller than 25 feet in height.
3. *Visibility.* Active solar systems shall be designed to blend into the architecture of the building or be screened from routine view from public rights-of-way or adjacent residentially-zoned property per the standards of [Chapter 320](#).
4. *Approved solar components.* Electric solar system components must have a UL listing.
5. *Plan approval required.* All solar systems shall require a limited use approval by the Planning and Zoning Director.
6. *Plan applications.* Plan applications for solar systems shall be accompanied by to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mount system, including the property lines.
7. *Plan approvals.* Applications that meet the design requirements of this section shall be granted administrative approval by the Planning and Zoning Director.
8. *Compliance with building code.* All active solar systems shall meet approval of the building code.
9. *Compliance with electric code.* All photovoltaic systems shall comply with the National Electrical Code, current edition.
10. No grid-intertie photovoltaic system shall be installed until evidence has been given to the Planning and Development Director that the owner has been approved by the utility company to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

B. *Residential.* An application for a proposed solar collector/energy system located at a residence must meet the following standards as a limited accessory use:

1. All solar energy collectors, whether ground-mounted or mounted on an existing structure, shall meet the minimum accessory structure zoning setbacks for the zoning district in which located. The height of the structure shall not be taller than the maximum allowed height of a structure in the zoning district in which located.

C. Addition of Solar Energy Systems to the Use Table

See the following page for district recommendations or modifications to the Permitted Use Table, Sec. 4.1.3.

