

CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Council Member Diane Adoma – District 5

CITY COUNCIL MEETING AGENDA

July 16, 2018

7:00 p.m.

3120 Stonecrest Blvd. Suite 190

Stonecrest, Georgia

- I. CALL TO ORDER:** Mayor Jason Lary
- II. ROLL CALL:** Brenda James, Interim City Clerk
- III. INVOCATION:**
- IV. PLEDGE OF ALLEGIANCE:**
- V. ADOPTION OF THE CITY COUNCIL AGENDA:**
- VI. MINUTES:** Approval of Minutes of the City Council Meeting of July 3, 2018
- VII. PRESENTATIONS:**
 - 1. Proclamation to South DeKalb Tribe Baseball Team
 - 2. Presentation of the Audit Report by Mauldin & Jenkins
- VIII. PUBLIC HEARINGS**
 - 3. Industrial Parking Modifications TMOD 18-0002
 - 4. TMOD 18-0003 Short Term Vacation Rental (Definitions)
 - 5. TMOD 18-0004 Short Term Vacation Rental (Use Table &&& Regulations)
 - 6. SLUP 18-002 6721 Covington Highway
- IX. PUBLIC COMMENTS:**

X. AGENDA ITEMS:

7. Ordinance Adopting the City of Stonecrest Travel Policy and Procedures

XI. CITY MANAGER COMMENTS:

XII. CITY ATTORNEY COMMENTS:

XIII. MAYOR AND COUNCIL COMMENTS:

XIV. ADJOURNMENT:

XV. EXECUTIVE SESSION:

WHEN AN EXECUTIVE SESSION IS REQUIRED, ONE WILL BE CALLED FOR THE FOLLOWING ISSUES: 1) PERSONNEL, 2) LITIGATION, 3) REAL ESTATE

CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Council Member Diane Adoma – District 5

CITY COUNCIL MEETING MINUTES

July 3, 2018

9:00 a.m..

3120 Stonecrest Blvd. Suite 190

Stonecrest, Georgia

- I. **CALL TO ORDER:** Mayor Lary called the meeting to order at 9:10a.m.
- II. **ROLL CALL:** Council Member Cobble was absent, and all other members were present.
- III. **INVOCATION:** Council Member Rob Turner
- IV. **PLEDGE OF ALLEGIANCE:**
- V. **ADOPTION OF THE CITY COUNCIL AGENDA**

Council Member Rob Turner made a motion to adopt the agenda with Council Member Adoma providing the second. **The motion carried unanimously.**
- VI. **PRESENTATIONS:** None
- VII. **PUBLIC COMMENTS:**

Faye Coffield spoke on the filing of a complaint with the Georgia Bar Association, her opposition to projects with Mr. Knight and that she had filed several open record requests with the City Clerk.

Darrell Taylor spoke on the progress in the city for live video feeds, code enforcement and signs for the City of Stonecrest.

Brenda Ausberry spoke against the Airbnb on Dogwood Path in the City of Stonecrest.

Brenda Herman spoke on the ordinance on Airbnb's and business income.

Bernard Knight spoke on Stonecrest being a biracial community and his clients will not be intimidated and in support of the proposed raise in salaries.

VIII. MINUTES: Approval of Minutes of the City Council Meeting of June 18, 2018

Council Member Adoma made a motion to approve the minutes with the necessary corrections with Council Member George Turner providing the second. **The motion carried unanimously.**

IX. AGENDA ITEMS:

1. Special Land Use Permit SLUP 18-003

City Attorney Emily M. Preston gave an overview of the Special Land Use Permit SLUP 18-003.

Council Member George Turner made a motion to approve the Special Land Use Permit SLUP with conditions. Council Member Rob Turner provided the second. **The motion carried unanimously.**

2. Ordinance for the Letter of Credit Agreement for Stonecrest Center, LLC Ashley Capital

City Manager, Michael Harris gave an overview of the ordinance and the letter of credit agreement for the Stonecrest Center, LLC Ashley Capital.

Council Member Rob Turner made a motion to approve the Ordinance for the Letter of Credit Agreement for Stonecrest Center, LLC Ashley Capital with Council Member George Turner providing the second. **The motion carried unanimously.**

X. CITY MANAGER COMMENTS:

City Manager, Michael Harris said the contract for the Internal Auditor had been signed for \$90.00 per hour and certain hours have been decided. He also introduced Courtney McGinty and Kolby Terrelonge, interns from Jacobs working at the City of Stonecrest.

XI. CITY ATTORNEY COMMENTS:

No Comments

XII. MAYOR AND COUNCIL COMMENTS:

Council Member Adoma announced on July 17th at 6:00p.m. there will be a Townhall Meeting at the Library. Sara Torey, Georgia Land Bank expert, a member of the DeKalb Tax Commissioner's Office and Al Terrell of the City of Stonecrest Code Enforcement office will be present.,

Council Member George Turner said the HOA of Willow Brook will have a movie night on July 28th. He spoke on the pool parties being held at the Mansions, gun fire for 4th of July and told everyone to be safe.

Council Member Clanton thanked everyone for coming to the meeting and those from District 1 who spoke. He assured everyone that the city is working hard to handle all matters. He said the 2nd Community Leadership will be held at Fairview Baptist Church at 10:00a.m.

Council Member Rob Turner Uncommon Grounds and said on July 14th the breakfast will be held along with a Teachers Job Fair.

Mayor Lary spoke on his time with the interns, illegal parties and said the city is working on all fronts.

Council Member Adoma made a motion to adjourn into Executive Session for a Real Estate Matter and Litigation. Council Member George Turner provided the second. **The motion carried at 10:00a.m.**

Council Member Clanton made a motion to adjourn the Executive Session and reconvene into the regular meeting with Council Member Rob Turner providing the second. **The motion carried unanimously.**

Council Member Adoma made a motion to adjourn the meeting with Council Member Clanton providing the second at 11:50p.m. **The motion carried unanimously.**



CITY COUNCIL AGENDA ITEM

SUBJECT: Presentation by Mauldin & Jenkins on the Annual Audit and CAFR

☐ **ORDINANCE** ☐ **POLICY** ☐ **STATUS REPORT**
☐ **DISCUSSION ONLY** ☐ **RESOLUTION** ☒ **OTHER**

Date Submitted: 06/28/2018 Work Session: 07/03/2018 Council Meeting: 07/16/2018

SUBMITTED BY: City Manager

PURPOSE: The Auditing Firm of Mauldin and Jenkins performed an independent audit on the City of Stonecrest for six months ending in December 31, 2017. The City Manager and Audrey Mays of the Finance Department completed our first CAFR Comprehensive Annual Financial Report through December 31, 2017. Mauldin and Jenkins Firm will have a representative at the July 16, 2018 meeting to give the final report.

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION:



CITY COUNCIL AGENDA ITEM

SUBJECT: Industrial Parking Modifications TMOD 18 -0002

☐ ORDINANCE ☐ POLICY ☐ STATUS REPORT
☐ DISCUSSION ONLY ☐ RESOLUTION ☒ OTHER

Date Submitted: 07/11/18

Work Session:

Council Meeting: 07/16/2018

SUBMITTED BY: Nicole C.E. Dozier, Community Development Department Director

PURPOSE: Parking Ordinance Text Amendment (for Industrial parking). The purpose of this amendment is to allow gravel parking areas (as proposed) that are currently **not allowed** as per the Stonecrest code adopted from Dekalb County.

HISTORY: Currently the city ordinance requires that all parking lots and spaces shall be paved and have continuous paved access to public and private streets (as adopted from Dekalb County). This is done to ensure neat, uniform, and well-maintained parking lots throughout the city. Based on staff research five (5) neighboring cities have the same requirements. It is typical that paved surfaces are required for parking areas including industrial sites. Some cities with the allowance of gravel on overflow parking areas.



On March 6, 2018, Mr. Knight submitted suggestions for a text amendment to the parking ordinance in Article VI, Chapter 27 of the City Zoning Ordinance. Based on the submitted suggestions, staff recommended a text amendment draft for consideration of the Planning Commission on April 3, 2018, the Planning Commission deferred the item.

On April 13, 2018, City Staff met with Mr. Knight, Mr. Kelly, and Mr. Wikle to discuss this item to see if further compromises could be met. On April 16, 2018, Staff recommended text amendment draft #2 and the item was presented at the May 1, 2018 Planning Commission, but at the request of Mr. Knight was withdrawn for further work.



On May 16, 2018, Staff met with Mr. Knight and the property owners in Lithonia Industrial Park to go over the proposed ordinance. Staff drafted the final recommendation on May 17, 2018 and has no further recommendations. The Planning Commission held the public comments on this petition at their June 5, 2018 meeting and recommended deferral. This item had its first read on June 18, 2018 additional modification were made.

OPTIONS: Approve, Deny, or make alternative recommendation

ATTACHMENTS:

#1 Final Amended Text

TMOD 18-0002

Attachment # 1
Final Text Document

AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA, TO AMEND
CHAPTER 27, ARTICLE VI, SECTION 6.1.3

WHEREAS, the City of Stonecrest, Georgia Mayor and City Council are authorized by the City Charter and the Georgia Constitution to regulate and adopt ordinances governing zoning and land use; and

WHEREAS, the Zoning Procedures Law, O.C.G.A. 36-66-1, *et seq.*, provides statutory requirements which must be met by a local government to enact zoning ordinances and make zoning decisions, including, requiring publication of notice and public hearing prior to the enactment of zoning ordinances;

WHEREAS, the City of Stonecrest has advertised and held public hearings on the amendment to Article III, Chapter 27;

WHEREAS, the City of Stonecrest has been vested with substantial powers, rights, and functions to generally regulate the use of real property for the purposes of maintaining health, morals, safety, security, peace, and the general welfare of the City; and

WHEREAS, the health, safety, welfare, aesthetics and morals of the citizens of the City of Stonecrest, Georgia shall be improved and protected by adoption and implementation of this Ordinance.

THEREFORE, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as follows:

Section 1: **Section 6.1.3 of Article VI, Chapter 27 of the Code of the City of Stonecrest, Georgia is hereby amended to read as follows:**

10. Notwithstanding any other provisions of Chapter 27 or Chapter 14, parking areas and/or parking on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage, without services provided, shall be permitted as a principal use on parcels zoned M or M-2, provided that:

- a. The parking area shall be screened from view of the public street with an opaque fence or wall minimum of six (6) feet in height.
- b. The parking area shall be at least twenty-five (25) feet from the street right of way.
- c. A ten (10) foot wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least 75% evergreens and at least two rows of plants.
- d. The soil erosion, sedimentation and pollution requirements of Chapter 14, Article V of the Code of the City of Stonecrest, Georgia are met;
- e. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality; and
- f. The parking lot has a minimum of one (1) acre.

11. Unpaved parking areas within the M and M-2 zones permitted under subsection 10. above shall comply with the following specifications:

- a. The parking area shall be at least one hundred and fifty feet (150') from the boundaries of a residentially zoned parcel;
- b. The parking area subgrade must meet a minimum compaction of ninety-five percent (95%) as certified by a registered professional engineer;
- c. The parking area surface shall be composed of at least eight inches (8") of compacted Graded Aggregate Base;
- d. The Graded Aggregate Base shall be stabilized and treated to control dust through approved means, which may include but is not limited to the effective design and operation of the facility, the periodic application of dust suppressant materials such as calcium chloride, magnesium chloride, or lignin sulfonate, reduced operating speeds on unpaved surfaces, or the periodic replenishment of gravel surfaces; and
- e. Parking areas shall be inspected by the City of Stonecrest every two (2) years to ensure continued compliance with the above specifications. Additional maintenance such as grading, Graded Aggregate Base, or surface treatment may be required.
- f. Parking areas on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage with existing unpaved areas shall be considered a nonconforming use under Section 8.1.5 exempt from the requirements of subsection 10. and 11. if the underlying use of the parcel was issued a business license or Motor Carrier Number valid on December 31, 2017.
- g. All other parcels with existing unpaved areas shall have (2) two years to comply with these specifications with a 1 time extension up to 12 months.

Section 2:

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.
2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE 2018-_____

unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City 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 Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.
5. The within ordinance shall become effective upon its adoption.
6. The provisions of this Ordinance shall become and be made part of The Code of the City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

SO ORDAINED AND EFFECTIVE this the ____ day of _____, 2018.

Approved:

Jason Lary, Sr., Mayor

As to form:

City Attorney

Attest:

Brenda James, City Clerk

10. Notwithstanding any other provisions of Chapter 27 or Chapter 14, pParking areaslots and/or parking on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage, without services provided, shall be permitted as approved by the City Engineer or Community Development Director on parcels zoned M or M-2, provided that:

- a. The parking area shall be screened from view of the public street with an opaque fence or wall minimum of six (6) feet in height.
- b. The parking area shall be at least twenty-five (25) feet from the street right of way.
- c. A ten (10) foot wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least 75% evergreens and at least two rows of plants.
- d. The soil erosion, sedimentation and pollution requirements of Chapter 14, Article V of the Code of the City of Stonecrest, Georgia are met;
- e. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality; and
- f. The parking lot has a minimum of one (1) acre.;

11. Unpaved parking areas within the M and M-2 zones permitted under subsection 10. above shall comply with the following specifications:

- a. The parking area shall be at least one hundred and fifty feet (150) from the boundaries of a residentially zoned parcel;
- b. The parking area subgrade must meet a minimum compaction of ninety-five percent (95%) as certified by a registered professional engineer;
- c. The parking area surface shall be composed of at least eight inches (8") of compacted Graded Aggregate Base;
- d. The Graded Aggregate Base shall be stabilized and treated to control dust through approved means, which may include but is not limited to the effective design and operation of the facility, the periodic application of dust suppressant materials such as stabilized with a surface treatment such as Calcium chloride, magnesium chloride, or lignin sulfonate, reduced operating speeds on unpaved surfaces, or the periodic replenishment of gravel surfaces or other material approved by the City Engineer to control dust and provide stabilization of the stone; and
- e. Parking areas shall be inspected by the City of Stonecrest every two (2) years to ensure continued compliance with the above specifications. Additional maintenance such as grading, Graded Aggregate Base, or surface treatment may be required.;
- f. Parking lots and/or parking on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage with existing unpaved areas shall be considered a nonconforming use under Section 8.1.5 exempt from the requirements of subsection 10. and 11. if the underlying use of the parcel was issued a business license or Motor Carrier Number valid on December 31, 2017.
- g. All other pParcels with existing unpaved areas shall have (2) two years to comply with these specifications with a 1 time extension up to 12 months.



CITY COUNCIL AGENDA ITEM

SUBJECT: TMOD 18-0003 Short Term Vacation Rental (Definition)

☐ ORDINANCE ☐ POLICY ☐ STATUS REPORT
☐ DISCUSSION ONLY ☐ RESOLUTION ☒ OTHER

Date Submitted: 07/11/18 **Work Session:** **Council Meeting:** 07/16/2018

SUBMITTED BY: Nicole C.E. Dozier, Community Development Department Director

PURPOSE: Text Amendment to add the definition of Short Term Vacation Rental to Section 9.1.3 Defined terms

HISTORY: This item was originally heard at the May City Council meeting and deferred. This item was reheard at the July Planning Commission Meeting.

OPTIONS: Approve; Deny; or make Alternative conditions

RECOMMENDED ACTION: Planning Commission recommended approval of petition TMOD 18-0003 at the July 10, 2018 meeting.

ATTACHMENTS:

#1 Final Text Document

TMOD 18-0003

Attachment # 1
Final Text Document

AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA,
AMENDING CHAPTER 27, ARTICLE IX- DEFINITIONS
TO DEFINE SHORT TERM VACATION RENTAL

WHEREAS, the City of Stonecrest is authorized to exercise the power of zoning Ga. Const. Art. IX, Section II, ¶ IV, Ga. Const. Art. IX, Section II, ¶¶ I and III, Official Code of Georgia Annotated (O.C.G.A.) § 36-66-1 et seq., the City's Charter, the City's general police powers, and by other powers and authority provided by federal, state and local laws applicable hereto; and

WHEREAS, the City of Stonecrest continues to exercise its zoning powers to provide comprehensive city planning and ensure a safe, healthy, and aesthetically pleasing community; and

WHEREAS, defining certain terms used by the city throughout the Code of Ordinances, and specifically in Chapter 27 – Zoning, provides the citizens of the City of Stonecrest, Georgia the tools necessary for understanding and implementing the Code of Ordinances; and

WHEREAS, as the City experiences growth gains knowledge through the exercise of these powers, it may become necessary to amend the definitions enumerated in the Zoning Ordinance; and

WHEREAS, this Ordinance seeks to define the term “Short Term Vacation Rental.”.

THEREFORE, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as follows:

Section 1: The Code of the City of Stonecrest, Georgia, is hereby amended by adding a definition to section 9.1.3 – Defined terms, which reads as follows:

Short-term vacation rental means any dwelling unit, single-family dwelling, multi-family dwelling unit, two-family dwelling, three-family dwelling, duplex, triplex, urban single-family dwelling, condominium, townhouse, cottage development, dwelling unit, and structure used for residential dwelling that permits any portion of the premises or dwelling unit to be used for individually or collectively owned single family dwelling or any unit or group of units in a condominium, cooperative, or timeshare, or owner occupied single family dwelling, that for the accommodation of transient guests, for a fee, for less than 30 consecutive days. This is also identified as "STVR".

Section 2:

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their

enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.

2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City 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 Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.
4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.
5. The within ordinance shall become effective upon its adoption.
6. [The provisions of this Ordinance shall become and be made part of The Code of the City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.]

SO ORDAINED AND EFFECTIVE this the ____ day of _____, 2018.

Approved:

Jason Lary, Sr., Mayor

As to form:

City Attorney

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE 2018-_____

79 Attest:

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83 _____
, City Clerk



CITY COUNCIL AGENDA ITEM

SUBJECT: TMOD 18-0004 Short Term Vacation Rental (Use Table & Regulations)

☐ ORDINANCE ☐ POLICY ☐ STATUS REPORT
☐ DISCUSSION ONLY ☐ RESOLUTION ☒ OTHER

Date Submitted: 07/11/18 **Work Session:** **Council Meeting:** 07/16/2018

SUBMITTED BY: Nicole C.E. Dozier, Community Development Department Director

PURPOSE: Text Amendment to modify the Use Table to reflect Short Term Vacation Rentals to include regulating text.

HISTORY: This item was originally heard at the May City Council meeting and deferred. This item was reheard at the July Planning Commission Meeting.

OPTIONS: Approve; Deny; or make Alternative conditions

RECOMMENDED ACTION: Planning Commission recommended approval of petition TMOD 18-0004 at the July 10, 2018 meeting.

ATTACHMENTS:

#1 Final Text Document

**AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA,
AMENDING CHAPTER 27, ARTICLE IV ADDING SUPPLEMENTAL USE
REGULATIONS FOR SHORT TERM VACATION RENTALS**

WHEREAS, the City of Stonecrest is authorized to exercise the power of zoning Ga. Const. Art. IX, Section II, ¶ IV, Ga. Const. Art. IX, Section II, ¶¶ I and III, Official Code of Georgia Annotated (O.C.G.A.) § 36-66-1 et seq., the City's Charter, the City's general police powers, and by other powers and authority provided by federal, state and local laws applicable hereto; and

WHEREAS, the City of Stonecrest continues to exercise its zoning powers to provide comprehensive city planning and ensure a safe, healthy, and aesthetically pleasing community; and

WHEREAS, as the City of Stonecrest experiences growth and gains knowledge through the exercise of these powers, it is necessary to and, amend, and/or remove certain requirements in the Zoning Ordinance; and

WHEREAS, the City of Stonecrest recognizes necessity of implementing regulations which protect the health, safety and welfare of its citizens as well as tourists in the city who choose alternative accommodations, such as Short Term Vacation Rentals.

WHEREAS, the Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*, provides statutory requirements which must be met by a local government to enact zoning ordinances and make zoning decisions, including, requiring publication of notice and public hearing prior to the enactment of zoning ordinances;

WHEREAS, the City of Stonecrest has advertised and held public hearings on _____ and _____ on the adoption of the amendment to Chapter 27, Article IV.

WHEREAS, this Ordinance seeks to regulate Short Term Vacation Rentals through its substantial zoning powers to ensure a safe, healthy, and aesthetically pleasing community for the citizens and visitors of the City of Stonecrest, Georgia.

THEREFORE, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as follows:

Section 1: The Code of the City of Stonecrest, Georgia, is hereby amended by adding Chapter 27, Article IV, Section 4.2.58 – Short Term Vacation Rental, which reads as follows:

4.2.58 – Short Term Vacation Rental

The following applies to all Short Term Vacation Rentals ("STVR"):

A. No individual renting the property shall stay for longer than 30 consecutive days.

- B. The STVR shall not be operated in such a way as to change the residential character of the neighborhood in which it is located and shall comply with the noise ordinance.
- C. In every dwelling of two (2) or more rooms, every room occupied for sleeping purposes by one (1) occupant shall contain not less than 70 square feet of floor area, and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) additional square feet of floor area. Maximum occupancy limits for any overnight guests must not exceed two guests for every bedroom located in the STVR.
- D. Every bedroom shall have a window facing directly and opening to the outdoors.
- E. Every bedroom shall have access to not less than one water closet and lavatory without passing through another bedroom. Every bedroom in an STVR shall have access to not less than one water closet and lavatory located in the same story as the bedroom or an adjacent story.
- F. Maximum occupancy for an STVR at any point in time shall not exceed the occupancy as determined by one person per every one hundred and fifty (150) square feet of floor area for the first occupant thereof and at least one hundred (100) additional square feet of floor area per additional occupant, or the occupancy limits set by the fire code adopted by the City, whichever is less.
- G. There shall also be provided at least one (1) off-street parking space for each bedroom used as a part of the STVR.
- H. No signs or advertising are permitted to identify or advertise the existence of the STVR, beyond those otherwise allowed for the residential property.
- I. All STVR units shall be furnished with a telephone that is connected to a landline or similar type connection, including a voice over internet protocol, in order that 911 dispatch may be able to readily identify the address and/or location from where the call is made when dialed.
- J. A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door.
- K. No individual renting a STVR shall use the STVR for a special event, party, or temporary outdoor event. No owner or operator of a STVR shall permit a STVR to be used for a special event, party, or temporary event.
- L. It shall be unlawful to establish, operate, or cause to be operated a STVR in the city within 500 feet of another STVR, bed and breakfast, boarding house, Home stay bed and breakfast residence, hotel/motel, hotel/motel extended stay, personal care home, or child caring institutions. Measurements for this subsection shall be made in a straight line without regard to intervening structures or objects, between the closest points on the property lines of the two uses.

Section 2:

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.
2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City 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 Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.
4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.
5. The within ordinance shall become effective upon its adoption.
6. The provisions of this Ordinance shall become and be made part of The Code of the City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

SO ORDAINED AND EFFECTIVE this the ____ day of _____, 2018.

Approved:

Jason Lary, Sr., Mayor

As to form:

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE 2018-_____

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Attest:

City Attorney

Brenda James, City Clerk

TMOD 18-0004

Attachment # 1
Final Text Document

Table 4.1 Use Table.

Use	KEY: P - Permitted use Pa - Permitted as an accessory use														SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)										See Section 4.2		
	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5			
AGRICULTURAL																											
Agriculture and Forestry																											
Commercial greenhouse or plant nursery	P															P	P	P	P	P							✓
Temporary or portable sawmill	P																		P	P							✓
Urban, community garden, up to 5 ac.	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		✓
Urban, community garden, over 5 ac.	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	
Animal Oriented Agriculture																											
Dairy	P																		P	P							✓
Keeping of livestock	P	P	P	P	P	P													P	P							✓
Keeping of poultry/pigeons	P	P	P	P	P	P													P								✓
Livestock sales pavilion	P																										✓
Riding academies or stables	P	P	P	P	P	P																					✓
RESIDENTIAL																											
Dwellings																											
Dwelling, cottage home									P	P	P	P	P	P	P												✓
Dwelling, mobile home																P											✓
Dwelling, multi-family												P	P	P	P				P								✓
Dwelling, multi-family (supportive living)												P	P	P	P	P	P	P	P	P	P	P	P	P	P		✓
Dwelling, townhouse												P	P	P	P				P								✓
Dwelling, urban single-family												P	P	P	P				P								✓
High-rise apartment																P											✓
Dwelling, single-family (attached)												P	P	P	P												✓
Dwelling, single-family (detached)	P	P	P	P	P	P						P	P	P	P	P	P		P								✓
Dwelling, three-family												P	P	P	P				P								✓
Dwelling, two-family												P	P	P	P												✓
Dwelling, single-family, accessory (guesthouse, in-law suite)	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa																		✓
Home occupation, no customer contact	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓

Table 4.1 Use Table.

KEY: P - Permitted use Pa - Permitted as an accessory use															SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)											
Use	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2	
Home occupation, with customer contact	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP									SP	SP	SP	SP	✓	
Live/work unit								P	P	P			P	P		P	P		P	P	P	P	P	✓		
Mobile home park											P															
Accessory uses or structures	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	✓	
Housing and Lodging																										
Bed and breakfast	SP	SP	SP				SP	SP	SP	SP			P	P		P	P					P	P	P	✓	
Bed and breakfast, home stay	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP													✓	
Boarding/Rooming house								SP	P	P																
Convents or monasteries	SP	SP	SP	SP	SP	SP	SP	SP	SP				P	P								P	P	P	✓	
Dormitory													Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa		
Extended stay hotel/motel													SP			SP	SP					SP	SP	SP	✓	
Fraternity house or sorority house								SP	P	P			SP									P	P			
Hotel/Motel													P			P	P	P				P	P	P		
Short Term Vacation Rental	SP	SP	SP					SP														SP	SP			
Nursing care facility or hospice								P	P				P	P		P	P					P	P	P		
Personal care home, community, 7 or more							SP	SP	P	P			P	SP	SP	P	P	P				P	P	P	✓	
Personal care home, group, 4-6	SP	SP	SP	SP	SP	SP	SP	SP	P	P	P	SP	P	SP	SP	P	P					P	P	P	✓	
Child caring institution, group, 4-6	SP	SP	SP	SP	SP	SP	SP	SP	P	P	P	SP	P	P	P	P	P					P	P	P	✓	
Child caring institution, community, 7 or more							SP	SP	P	P			P	SP	SP	P	P	P				P	P	P	✓	
Senior housing	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP							SP	SP	SP	✓	
Shelter for homeless persons, 7-20									SP	SP			SP	SP		P	P								✓	
Shelter for homeless persons for no more than six (6) persons								SP	SP	SP			SP	SP		SP									✓	
Transitional housing facility, 7-20								SP	SP	SP			SP	SP		P	P								✓	
INSTITUTIONAL/PUBLIC																										
Community Facilities																										

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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					SP	P	✓	
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		
Hospital or accessory ambulance service													P	P					P				P	P		
Library or museum								P	P	P			P	P	P	P	P	P		P	P	P	P	P		
Cultural facilities								SP	SP	SP			SP	\$		SP	SP	SP	SP		\$	SP	SP	SP	SP	
Recreation club	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP						P						SP	✓	
Neighborhood or subdivision clubhouse or amenities	P	P	P	P	P	P	P	P	P	P	P	P	P	P							P	P	P	P	✓	
Places of worship	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	P	P	P	P	P	P	P	P	P	P	P	P	✓	
Recreation, outdoor																	P	P	P	P		Pa	Pa	Pa	✓	
Swimming pools, commercial	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	P	P		P	P	P	P			Pa	Pa	Pa	✓	
Tennis courts, swimming pools, play or recreation areas, community	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	P	P	P	P	P	P	P			Pa	Pa	Pa	✓	
Education																										
Colleges, universities, research and training facilities													P	P		P	P	P	P		P	P	P	P		
Private educational services, home occupation	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa						P			P ^a	Pa			✓	
Private kindergarten, elementary, middle or high schools	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	P	P		P	P	P			SP	SP	SP	SP	✓	
Vocational schools													P	P		P	P	P	P	SP	SP	P	P	P	✓	
Specialized schools								SP	SP	SP			P	P	P	P	P	P	SP	SP	P	P	P	P	✓	
COMMERCIAL																										
Automobile, boat and trailer sales and service																										
Automobile or truck rental or leasing facilities																P	P		P	P					✓	

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Automobile brokerage													P	P	P
Auto recovery, storage															P
Automobile repair or maintenance, minor															P
Automobile repair, major															P
Automobile sales or truck sales															P
Automobile service stations															P
Automobile upholstery shop															P
Automobile wash/wax service															P
Boat sale															P
Retail automobile parts or tire store															P
Service area, outdoor															P
Trailer or RV salesroom and lot															Pa
Trailer or RV salesroom and lot															Pa
Office															P
Accounting office								Pa	Pa	Pa			P	P	P
Building or construction office								Pa	Pa	Pa			P	P	P
Building, landscape, heavy construction contractor office (material, equipment, storage)															P
Engineering or architecture office								Pa	Pa	Pa			P	P	P
Finance office or banking								Pa	Pa	Pa			P	P	P
General business office								Pa	Pa	Pa			P	P	P
Insurance office								Pa	Pa	Pa			P	P	P
Legal office								Pa	Pa	Pa			P	P	P
Medical office								Pa	Pa	Pa			P	P	P
Real estate office								Pa	Pa	Pa			P	P	P
Real estate office								Pa	Pa	Pa			P	P	P
Recreation and Entertainment															
Sexually Oriented Business															P
Drive-in theater															P
Fairground or amusement park															P
Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)															P

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Nightclub or late night establishment													Pa		\$ P	SP	SP	SP	SP	SP	\$ P	SP	SP	SP	SP	✓									
Outdoor recreation (miniature golf, batting cages, tennis, Go-cart and other outdoor activities)	SP																	P	P	SP					✓										
Special events facility	SP												P	P		P	P	P	P		P	P	P	P											
Theaters with live performance, assembly or concert halls, or similar entertainment within enclosed building													P	P		P	P						P	P											
Retail																																			
Alcohol outlet- package store, primary																SP	SP	P	P		\$ P	SP	SP	SP	SP	✓									
Alcohol outlet- beer and/or wine store, beer growler, primary																SP	SP	P	P		\$ P	SP	SP	SP	✓										
Alcohol outlet- beer and wine, accessory to retail less than 12,000 sf (see also 4.1.3 (F))																SP	SP	P	P		\$ P	SP	SP	SP	✓										
Apparel or accessories store																P	P	P			P	P	P	P											
Art gallery								Pa	Pa	Pa						P	P	P			P	P	P	P											
Book, greeting card, or stationery store																P	P	P			P	P	P	P											
Camera or photography																P	P	P			P	P	P	P											
Commercial greenhouse or plant nursery																P	P		P		P				✓										
Computer or computer software store																P	P	P			P	P	P	P											
Convenience store (see alcohol outlet or fuel pumps accessory)																P	P	P	P		P	P	P	P	✓										
Drive-through facilities (other than restaurants) in Activity Center character areas																									✓										
Drive-through facilities (other than restaurants) in all other character areas													P			P	P	P	P		\$ P	SP	SP	SP											
Farm or garden supply store	P																																		
Farmer's market, permanent													P	P	P	P	P	P	P		P	P	P	P	✓										

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Farmer's market, temporary/seasonal	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓									
Florist													Pa		P	P	P	P			P	P	P	P										
Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)													Pa		P	P	P	P			P	P	P	P										
Fuel dealers, manufacturers or wholesalers																	P		P															
Fuel pumps in character areas other than activity centers, unless otherwise allowed under Section 27-4.2.8															SP	SP	SP	SP	SP	SP					✓									
Fuel pumps in activity centers															SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	✓									
Fuel pumps, accessory to large scale retail w/in 1000 feet of interstate highway interchange measured from RW to property line																Pa	Pa	Pa	Pa						✓									
Gift, novelty, or souvenir store													Pa		P	P	P	P			P	P	P	P										
Gold buying, precious metals																Pa	P	P																
Grocery stores (see alcohol outlet)								Pa	Pa	Pa					P	P	P	P			P	P	P	P										
Hardware store or other building materials store															P	P	P	P	P	P	P	P	P	P										
Hobby, toy or game store															P	P	P	P			P	P	P	P										
Jewelry store															P	P	P	P			P	P	P	P										
Music or music equipment store (retail)															P	P	P	P			P	P	P	P										
Liquor store (see alcohol outlet)													Pa		SP	SP	SP	P	P						✓									
News dealer or news store													P	P	P	P	P	P	P	P	P	P	P	P										
Office supplies and equipment store															P	P	P	P	P		P	P	P	P										
Pawn shop, title loan																	P	P	P						✓									
Pet supply store															P	P	P	P	P		P													
Pharmacy or drug store (see alcohol outlet)								Pa	Pa	Pa		Pa	Pa	Pa	P	P	P	P			P	P	P	P										
Radio, television or consumer electronics store																P	P	P			P	P	P	P										
Retail, 5,000 sf or less								Pa	Pa	Pa			Pa	Pa	P	P	P	P	P	P	P	P	P	P										

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Retail, over 5,000 sf (see also shopping center)															P	P	P	P			P	P	P	P	P		
Retail warehouses/wholesales providing sales of merchandise with no outdoor storage																P	P	P	P		P	P	P	P	P		
Shopping center															P	P	P	P			P	P	P	P	P		
Specialty store															P	P	P	P			P	P	P	P	P		
Sporting goods or bicycle sale															P	P	P	P			P	P	P	P	P		
Thrift, secondhand, antique store																P	P	P	P								
Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage													P	P		P	P	P	P								
Variety store													Pa		P	P	P	P			P	P	P	P	P		
Temporary Commercial Uses																											
Temporary outdoor sales, seasonal	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Temporary produce stand	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Temporary outdoor retail sales	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Temporary outdoor events	SA	SA	SA	SA	SA	SA	SA	SA					SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Temporary trailer, as home sales office or construction trailer	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Restaurant/Food establishments																											
Brewpub/Beer Growler															P	P	P	P	P	P	P	P	P	P	P		
Catering establishments															P	P	P	P	P	P	P	P	P	P	P		
Restaurants (acc. to hotel/motel)													P			P	P	P	P			P	P	P	P		
Restaurants (non-drive-thru)									Pa	Pa	Pa		Pa	Pa	Pa	P	P	P	P	P	P	P	P	P	P		
Restaurants with a drive-thru configuration in Activity Center character area																										✓	
Restaurants with a drive-thru configuration (all other character areas) unless otherwise allowed per Sec. 27-4.2.23																	SP	SP								✓	

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Transportation and Storage																									
Bus or rail stations or terminals for passengers																SP	SP		SP	SP	S	SP	SP	SP	
Heliport															SP	SP	SP	SP	P	P			SP	SP	✓
Parking, commercial lot															Pa	P	P	P	P	P	P	P	P	P	✓
Parking, commercial garage															Pa	P	P	P	P	P	P	P	P	P	✓
Taxi, ambulance or limousine service, dispatching or storage.																	P	P	P	P					✓
Taxi, ambulance, limousine dispatch office only (no vehicle parking)															P	P	P		P	P	P	P	P	P	
Taxi stand															P	P	P	P	P	P	P	P	P	P	
Services																									
Adult day care center - 7 or more								P	P	P	P			P	P	P	P	P	P			P	P	P	✓
Adult day care facility - up to 6	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP			P	P	P	P			P	P	P	P	✓
Animal hospitals, veterinary clinic																P	P	P	P	P	P	P			✓
Animal shelter/rescue center	SP																P	P	P	P					✓
Banks, credit unions or other similar financial institutions								Pa	Pa	Pa					P	P	P		P		P	P	P	P	
Barber shop/ beauty salon or similar establishments								Pa	Pa	Pa					Pa	P	P	P	P		P	P	P	P	
Check cashing establishment, primary																	P		P						✓
Check cashing establishment, accessory																P	P		P	P	P	P	P	P	✓
Child day care center (Kindergarten) - 7 or more								P	P	P				P	P	P	P	P	P		P	P	P	P	✓
Child day care facility - up to 6	SP	SP	SP	SP	SP	SP	SP	P	P	P		SP	P	P	P	P	P	P				P	SP	SP	✓
Coin laundry								Pa	Pa	Pa		Pa				P	P					P	P	P	✓
Dog day care								SP	SP	SP						P	P					P	SP	SP	✓
Dog grooming								Pa	Pa	Pa						P	P					P	P	P	✓
Dry cleaning agencies, pressing establishments, or laundry pick-up stations								Pa	Pa	Pa						P	P					P	P	P	
Fitness center	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa		Pa		P	P	P	P		P	P	P	P	P	P	

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Kennel, breeding or boarding	SP														Pa	Pa	P		P	P					✓		
Kennel, commercial	SP															P	P		P	P							
Kennel, noncommercial	P	SP	SP	SP	SP	SP																					
Landscape business																	P	P	P	P							
Mini-warehouse														SP			P	P	P	P					✓		
Outdoor storage, commercial																	P	P	P	P					✓		
Personal services establishment								Pa	Pa	P		Pa	Pa	Pa	P	P	P		P	P	P	P	P	P			
Photoengraving, typesetting, electrotyping																											
Photographic studios													P	P	P		P	P	P	P	P	P	P	P			
Plumbing, HV//AC equipment establishments with no outdoor storage																	P	P		P	P						
Publishing or printing establishments													P	P					P	P							
Quick copy printing store													P	P	P	P	P	P	P	P	P	P	P	P			
Services, Medical and Health																											
Ambulance service or emergency medical services, private																	P	P		P							
Health services clinic													P	P	P		P	P	P								
Home healthcare service													P	P	P		P	P	P								
Kidney dialysis center													P	P			P	P	P								
Medical or dental laboratories													P	P			P	P	P								
Services, Repair																											
Furniture upholstery or repair; home appliance repair or service																	P	P		P							
Personal service, repair (watch, shoes, jewelry)								Pa	Pa	Pa			P	P	P		P	P	P								
Service area, outdoor																	Pa		Pa	P					✓		
INDUSTRIAL																											
Alcohol or alcoholic beverage manufacturing																				P	P						
Alternative energy production																			SP	P	P						
Automobile/truck manufacturing																											

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Brick, clay, tile, or concrete products terra cotta manufacturing																				P																
Building materials or lumber supply establishment																	P		P																	
Cement, lime, gypsum, or plaster of Paris manufacturing																				P																
Compressed gas fuel station																	SP		P		P															
Chemical manufacture, organic or inorganic																				P	P															
Contractor, general (See also Building or Construction Office)																	P		P	P	P	P	P													
Contractor, heavy construction, outside storage																	P		P	P					✓											
Contractor, special trade																	P		P	P					✓											
Crematoriums													SP				SP		P	P	P				✓											
Distillation of bones or glue manufacture																				P																
Dry cleaning plant																			P	P																
Dye works																				P	P															
Explosive manufacture or storage																				P																
Fabricated metal manufacture																				P																
Fat rendering or fertilizer manufacture																				P																
Fuel dealers, manufactures or wholesalers																			P	P																
General aviation airport																			P	P					✓											
Heavy equipment repair service or trade																	P		P	P																
Ice manufacturing plant																			P	P																
Incidental retail sales of goods produced or processed on the premises																			Pa	Pa																
Incineration of garbage or refuse when conducted within an enclosed plant																				P																
Industrial, heavy																				P																
Industrial, light																			P	P																

See Section 4.2

Table 4.1 Use Table.

Use	KEY: P - Permitted use Pa - Permitted as an accessory use										SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)										See Section 4.2				
	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2		MU-1	MU-2	MU-3	MU-4,5
Intermodal freight terminal, bus or rail freight or passenger terminal, or truck terminal																			P						
Leather manufacturing or processing																			P						
Light malt beverage manufacturer (See also Brewpub)															Pa	Pa	Pa		P	P	P _a	Pa	Pa	Pa	
Light manufacturing																			P	P					
Manufacturing, heavy																									
Manufacturing operations not housed within a building																				P					
Mines or mining operations, quarries, asphalt plants, gravel pits or soil pits																				P					
Outdoor storage, industrial																			P	P					
Paper or pulp manufacture																				P					
Petroleum or inflammable liquids production, refining																					P				
Radioactive materials: utilization, manufacture, processing or emission																				P					
Railroad car classification yards or team truck yards																			P	P					
Recovered materials facility wholly within a building																			P	P					
Recovered materials processing wholly within a building																			P	P					
Recycling collection													Pa		Pa	Pa	Pa		P	P					
Recycling plant																			P	P					
Repair/manufacture of clocks, watches, toys, electrical appliances, electronic, light sheet metal products, equipment, machine tools, or machinery not requiring the use of press punch over 100 tons rated capacity or drop hammer																			P	P					
Research, experimental or testing laboratories																			P	P					

[255219/1]

Zoning Ordinance of the City of Stonecrest

Table 4.1 Use Table.

[illegible]

Table 4.1 Use Table.

KEY: P - Permitted use Pa - Permitted as an accessory use														SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)											
Use	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2
Stealth design up to 150'								SP	SP	SP				S	SP						S	SP	SP	SP	✓
New support structure or stealth design up to 199'													SA			SA	SA	SA	SA	SA	S				✓
COW's (non-emergency or event, no more than 120 days)	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	S	SA	SA	SA	SA	SA	SA	S	SA	SA	SA	✓
COW's (declared emergency)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓
Attached wireless telecommunication facility, used for non-residential purposes (prohibited if used as residential)	SA	SA	SA	SA	SA	SA	SA																		
Attached wireless telecommunication facility								P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓
Monopole or attached facility in utility company's easements or rights-of-way	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓

See Section 4.2



CITY COUNCIL AGENDA ITEM

SUBJECT: SLUP 18-002 6721 Covington Hwy

☐ ORDINANCE ☐ POLICY ☐ STATUS REPORT
☐ DISCUSSION ONLY ☐ RESOLUTION ☒ OTHER

Date Submitted: 07/11/18 **Work Session:** **Council Meeting:** 07/16/2018

SUBMITTED BY: Nicole C.E. Dozier, Community Development Department Director

PURPOSE: The applicant is requesting a Special Land Use Permit (SLUP) to construct a liquor store.

HISTORY: This item was originally heard at the May City Council meeting and deferred back to the Planning Commission. This item was reheard at the July Planning Commission Meeting.

OPTIONS: Approve; Deny; or make Alternative conditions

RECOMMENDED ACTION: Planning Commission recommended approval with Conditions (13) of petition SLUP 18-002 at the July 10, 2018 meeting.

ATTACHMENTS:

- #1 7/10/18 Staff Report
- #2 7/10/18 Powerpoint Presentation

SLUP 18-002

Attachment # 1
7/10/18 Staff Report



PLANNING COMMISSION STAFF REPORT

MEETING DATE: July 10th, 2018

GENERAL INFORMATION

Petition Number: SLUP 18-002

Applicant: Pawanjit Kavr
6721 Covington Hwy, Stonecrest, GA 30038

Owner: Pawanjit Kavr

Project Location: 6721 Covington Hwy, Stonecrest GA 30038

District: District 2

Acreage: 2.75 Acres

Existing Zoning: Local Commercial (C-1) District

Proposed Zoning: Local Commercial (C-1) District

Proposed Development/Request: The applicant is requesting a Special Land Use Permit (SLUP) to construct a Liquor Store in Neighborhood Center, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.23 of Stonecrest Zoning Code.

***This application was originally heard at the May 1st, 2018 Planning Commission Meeting. The Commission recommended denial of the application. The application then was heard at May 21st, 2018 City Council hearing and was referred back to the Planning Commission.**

Staff Recommendations: Approval with Conditions

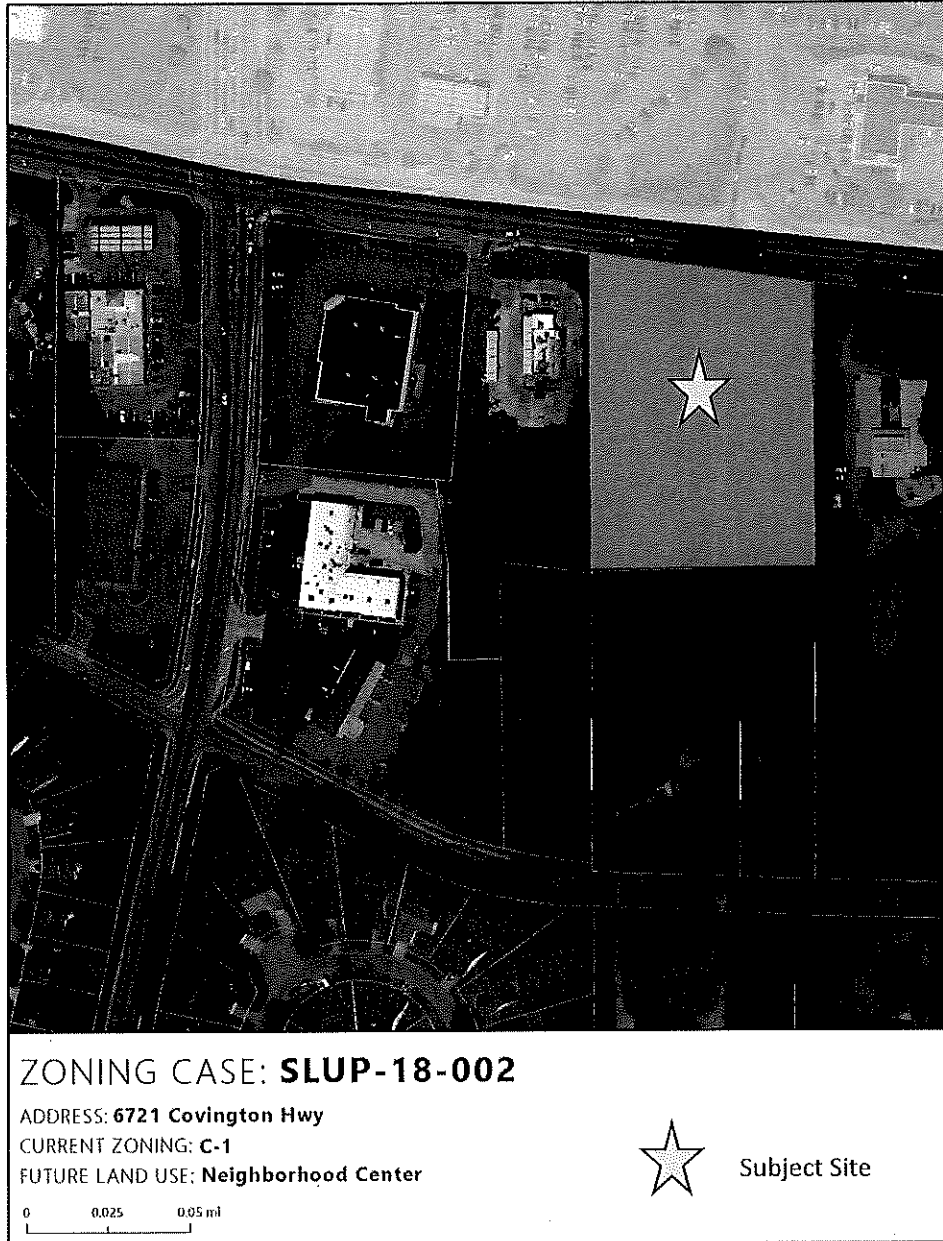
Planning Commission: Approval with Conditions

SLUP-18-002



PLANNING COMMISSION STAFF REPORT

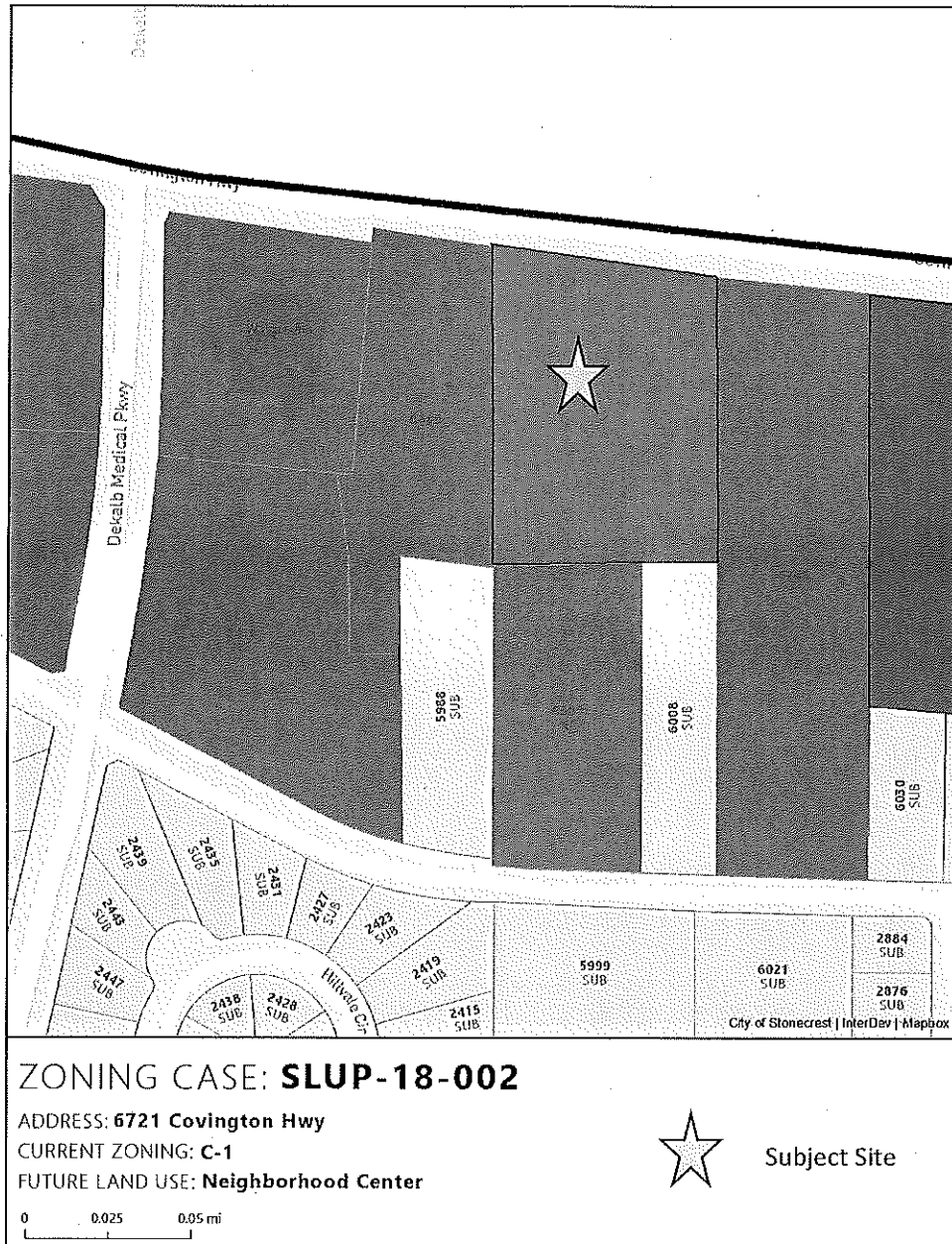
Aerial Map





PLANNING COMMISSION STAFF REPORT

Future Land Use Map

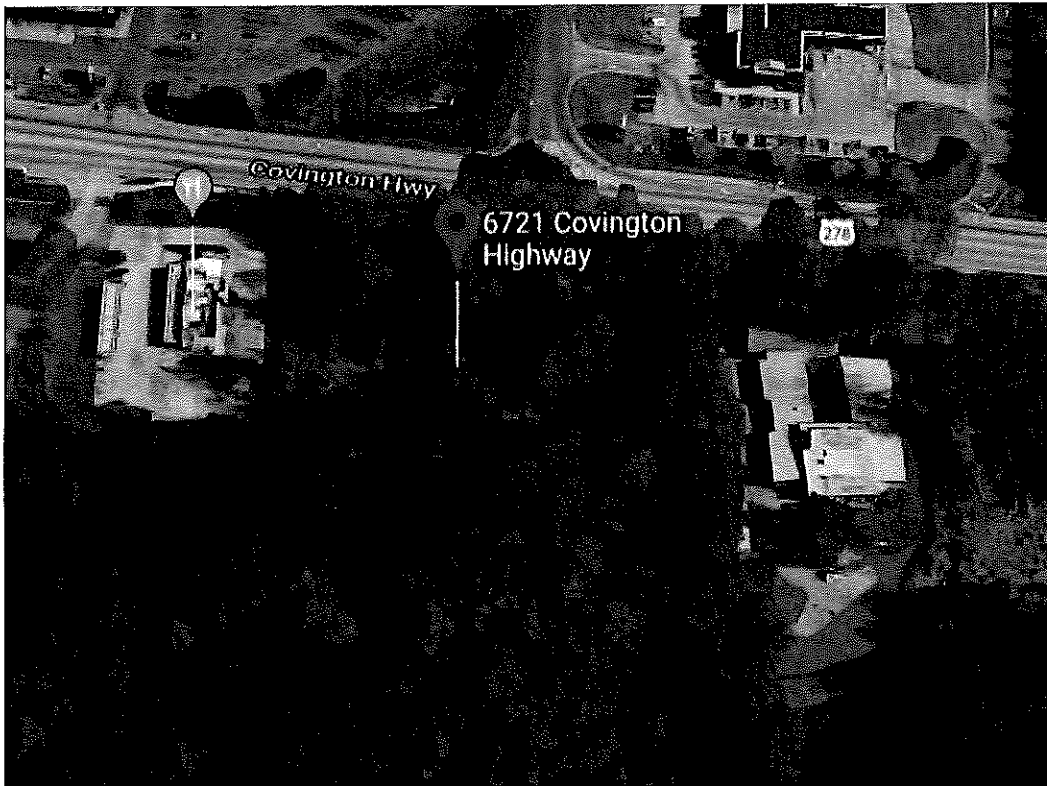




PLANNING COMMISSION STAFF REPORT

PROJECT OVERVIEW

The subject site is a 2.7 acres parcel with street frontage off Covington Highway, a four-lane arterial street. The subject property is approximately 500' East from the intersection of Covington Highway and DeKalb Medical Parkway. The site is currently zoned C-1 (Local Commercial) District and is in the Neighborhood Center Character area. Originally the subject property was rezoned in 2009 from O-I to its current zoning.



The applicant is requesting a Special Land Use Permit to operate a liquor store, which will be part of the commercial retail portion of the development. Currently, the applicant is operating a liquor store at 6670 Covington Hwy and would be located across the street to this location. The applicant intends to construct a 21,600 square foot office and retail development. The applicant has met with city staff to discuss the pre-land development of the property. The staff has requested elevations for the proposed development to review architectural rendering. The site has approximately 300' of frontage on Covington Hwy.

The surrounding area is characterized as a mixture of commercial and residential uses. North of the subject property across Covington Hwy in unincorporated DeKalb County is Lithonia Crossing Shopping Center. Adjacent to the property to the West is Sonic Drive-Thru fast food restaurant. Abutting the property to the South is 1.9 acres property owned by the applicant who intends to develop it as well. To the Southeast of the subject property is residential zoned property which is vacant according to the DeKalb County Tax Assessor's website. Abutting the subject property to the East is a woman



PLANNING COMMISSION STAFF REPORT

shelter zoned O-I. The site has extensive hardwood and understory vegetation located on the property. The topography is characterized by a gradual increase in grade moving south-west towards the rear property line.

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.**

The approximately 21,600 square foot commercial development on 2.67 acres is adequate and appears to meet all required yards, open space, off-street parking and all other applicable requirements required by C-1 zoning district.

- 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 is compatible with the adjacent properties and land use within the district. The adjacent and nearby properties are commercial use, which the proposed liquor store would be compatible with those uses. Staff notes the two residential properties located to the southwest and southeast are vacant properties with no single family homes located on it.

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

The subject property is in an established commercial node, it appears that there are adequate public services, public facilities, and utilities to serve the proposed liquor store.

- 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.**

Covington Hwy is minor arterial roads and, the Planning Staff believes little or no impact on the public streets or traffic in the area. Staff notes the applicant intends to develop the adjacent commercial property to the south and staff would be against allowing commercial access at Hillvale Road.

- 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.**

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.**



PLANNING COMMISSION STAFF REPORT

The subject site does not have an ingress or egress on the site and would have to create a new curb cut. Covington Hwy is a state route the applicant would have to receive permission from Georgia Department of Transportation to establish the new curb cut. The applicant engineer has reached out to the GDOT for approval.

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 properties 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.

Per the information submitted with the application, the liquor store will be operating at the same time as similar liquor stores. Current hours for the liquor store is 9:30 am -11:30 pm M-R, 9:30 am -11:45 pm F-S 12:30 pm - 9:30 pm Sun. Staff believes the proposed use will not create an adverse impact upon any adjoining land use by reason of the hours of operation.

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 proposed liquor store will not affect the adjoining commercial properties. The site will original intended for commercial/office development.

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 of a liquor store is consistent with C-1 (Local Commercial).

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

The subject property is in the Neighborhood Center Character area designated by the 2035 Comprehensive Land Use Plan. The proposed use is listed as a primary land use and the use is consistent with the policies of the character area, The proposed use would not change the character of the area,

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 required due to the residentially zoned property located to the southwest and southeast of the subject property. The applicant proposed site plan has addressed the 50' transitional buffer requirement.

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



PLANNING COMMISSION STAFF REPORT

The adequate refuse area will be provided. The trash pad will be located at the rear of the property and will be picking up according to the DeKalb County Sanitation pick up schedule.

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

Staff believes there is no compelling reason for limiting the duration of the requested Special Land Use Permit.

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.

Staff believes the size, scale, and massing of the proposed building are appropriate in relation to the size of the subject property.

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 permit.

The proposed use satisfies the requirement of the supplemental regulations for package stores.

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 properties have similar structures heights as the proposed building. There will be no negative show 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.

Staff believes the proposed use would be consistent with the needs of the neighborhood or the community as a whole, the use is compatible with the neighborhood as the neighborhood has turned into a commercial node and the proposed use would be compatible with the overall objective of the comprehensive plan.



PLANNING COMMISSION STAFF REPORT

ANALYSIS

Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use	Density Non-Residential (SF/Acre) Residential (Units/Acre)
Nearby: North	C-1 (Lithonia Crossing)	Commercial	N/A
Adjacent: South	C-1 (Vacant Commercial Property)	Commercial	N/A
Adjacent: East	O-I (woman shelter)	Office-Institutional	10.500 SF/Acre
Adjacent: West	C-1 (Sonic Drive-Thru)	Commercial	4,500 SF/Acre
Adjacent: Southwest	R-100 (Vacant residential property)	Residential	N/A

The surrounding area is characterized as a mixture of commercial and residential zoning tracts with a small portion of residential homes and residential subdivisions located to the South, Southwest, and Southeast. Located to the Southwest is one vacant residential parcel. Located to the Southeast is one residential parcel. Across Covington Hwy to the North of the property is commercial shopping center in unincorporated DeKalb County. The adjacent properties located to the West and East are zoned C-1 and OI.

Local Commercial zoning intends to provide convenient local retail shopping and service areas within the city for all residents. The zoning is meant to provide for auto-oriented needs outside of the Neighborhood Center, Town Center and Regional Center character areas, but to focus on the pedestrian-oriented development within these districts. C-1 zoning provides quality control in development through materials and building placement. Additionally, assure that the uses authorized within the C-1 (Local Commercial) District is those uses which are designed to serve the convenience shopping and service needs of groups of neighborhoods.

The City Stonecrest Future Development Map as shown on page 67 of DeKalb County Comprehensive Plan identifies the subject property as being within the Character Area Neighborhood Center. The intent of the Neighborhood Center Character Area is to identify areas that can serve the local neighborhood's needs for goods and services. These areas shall complement the character of neighborhoods and the location of the commercial areas shall reduce automobile travel, promote walkability and increased transit usage Policies for this character area preserves and enhance the integrity and quality of existing residential neighborhoods, while promoting healthy living in neighborhoods by incorporating a pedestrian environment that encourages socialization, walking, biking, and connectivity. The intent of the character area is to consist of a neighborhood focal point with a concentration of activities such as general retail, neighborhood commercial, professional office, higher-density housing, and appropriate public and open space uses that are easily accessible by pedestrians. Therefore, the Department of Community Development recommends **APPROVAL OF SLUP-18-002** with the following conditions.

RECOMMENDATION



PLANNING COMMISSION STAFF REPORT

Staff recommends the approval of SLUP-18-002 with the following conditions;

1. Access on Covington Highway to be approved by Georgia Department of Transportation.
2. No access to Hillvale Road
3. Deceleration lane on Covington Highway if required by Georgia Department of Transportation.
4. Install an eight (8ft) privacy fence along the eastern property line adjacent to the women shelter.
5. The additional landscaped buffer along the privacy fence between the woman shelter located to the east of the proposed commercial development.
6. Compliance with the City of Stonecrest alcohol and liquor license requirement.
7. No consumption of alcohol or liquor shall be allowed on the premises. No tables or chairs for customers shall be provided.
8. The following uses shall be prohibited: restaurant with drive-through lanes, automobile, boat and trailer sales and services, car wash, late-night establishments, hotel & motels, adult entertainment, pawns shop, title pawns, check cashing and flea markets.
9. Outside storage and display of products are prohibited.
10. Architectural accents, where utilized, shall consist of non-reflective glass, glass block, natural stone, pre-cast concrete, brick, terra cotta, stucco.
11. Refuse area shall not be visible from the public street. The enclosures shall match the building material of the principal structure.

Planning Commission Recommendation

1. Access on Covington Highway to be approved by Georgia Department of Transportation.
2. No access to Hillvale Road
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11. Refuse area shall not be visible from the public street. The enclosures shall match the building material of the principal structure.
12. Extend the proposed sidewalk to the east up to the driveway of the adjacent property.
13. Install mounted surveillance cameras on the proposed liquor store.

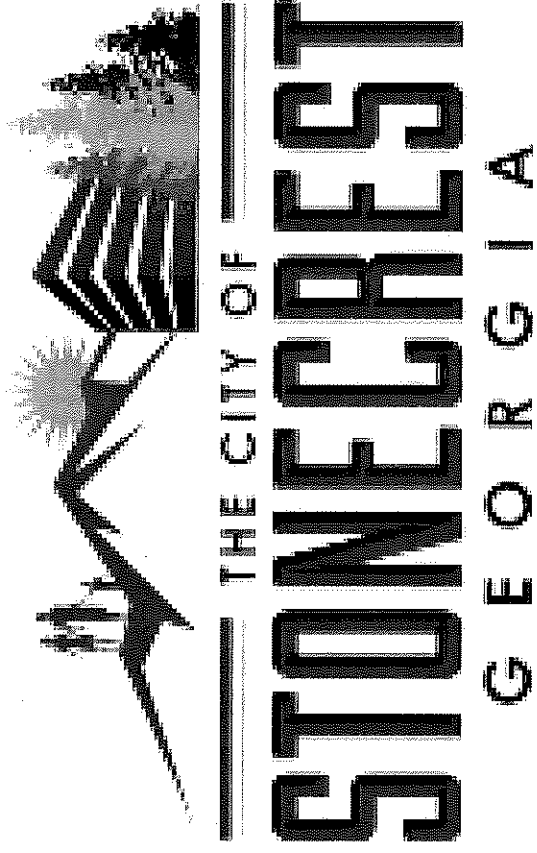
SLUP 18-002

**Attachment # 2 7/10/18
PowerPoint Presentation**



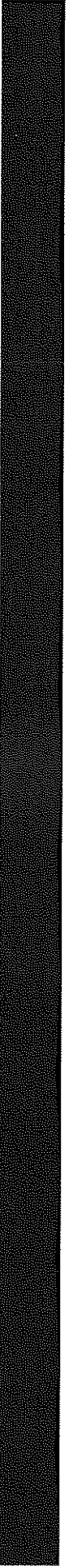
July 10th 2018

Planning Commission Public Hearing



SLUP-18-002

**6721 Covington Hwy, Stonecrest
GA 30038**



Petition Information

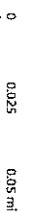
- APPLICANT: Pawanjit Kaur
- LOCATION: 6721 Covington Hwy
- ACREAGE: 2.75 acres
- REQUEST: The applicant is requesting a Special Land Use Permit (SLUP) to construct a liquor store.

* This application was originally heard at the May 1st, 2018 Planning Commission Meeting. The Commission recommended denial of the application. The application then was heard at May 21st, 2018 City Council hearing and was referred back to the Planning Commission.

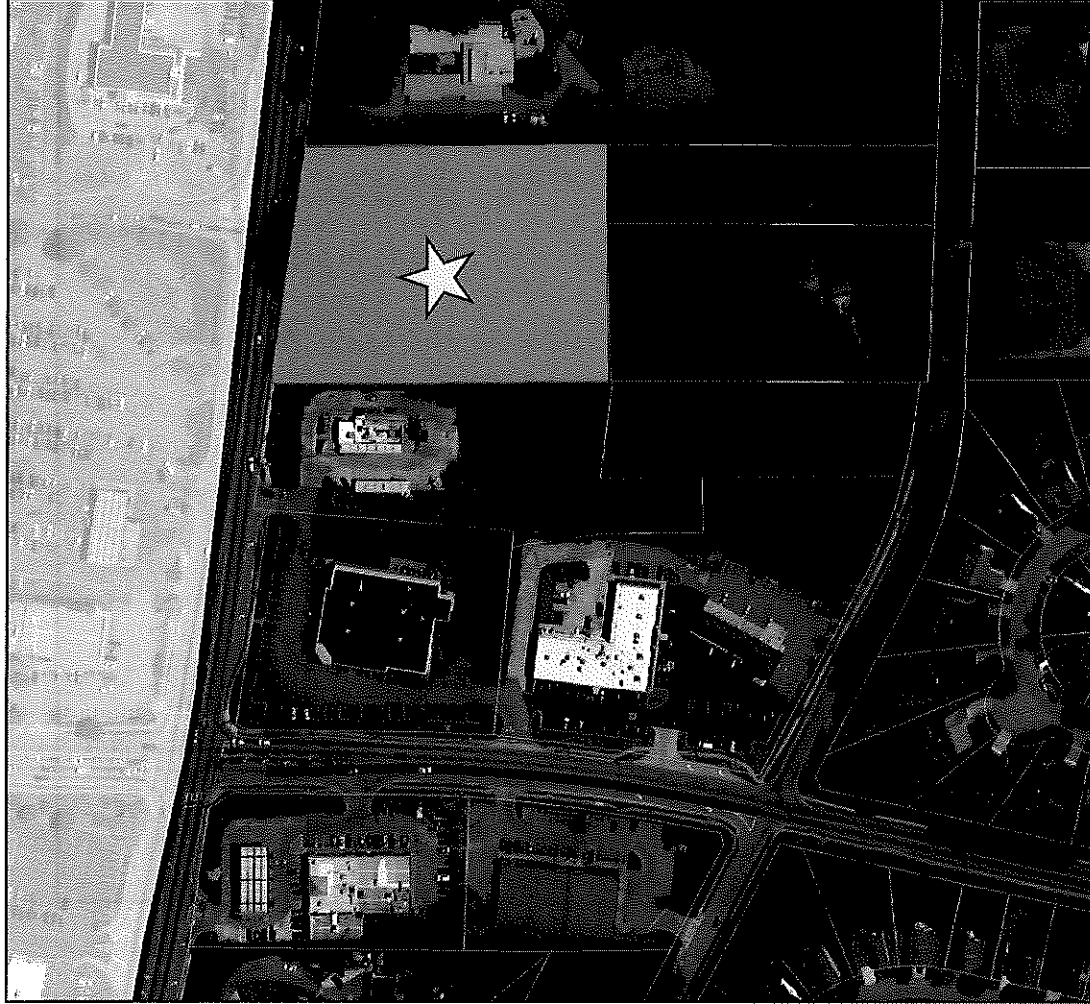
General Information

- Current zoning: C-1 (Local Commercial) District
- Future Land Use Character Area: Neighborhood Center
- Policies for this area emphasize:
 - Each Neighborhood Center shall include a medium- high density mix of retail, office, services, and employment to serve neighborhoods.
 - Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services
- Surrounding uses: Residential, Commercial and Office.
- Surrounding zoning: R-100 (Residential Medium Lot), Commercial and Office-institutional.

2000



Aerial Map



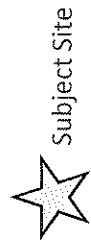
ZONING CASE: SLUP-18-002

ADDRESS: 6721 Covington Hwy

CURRENT ZONING: C-1

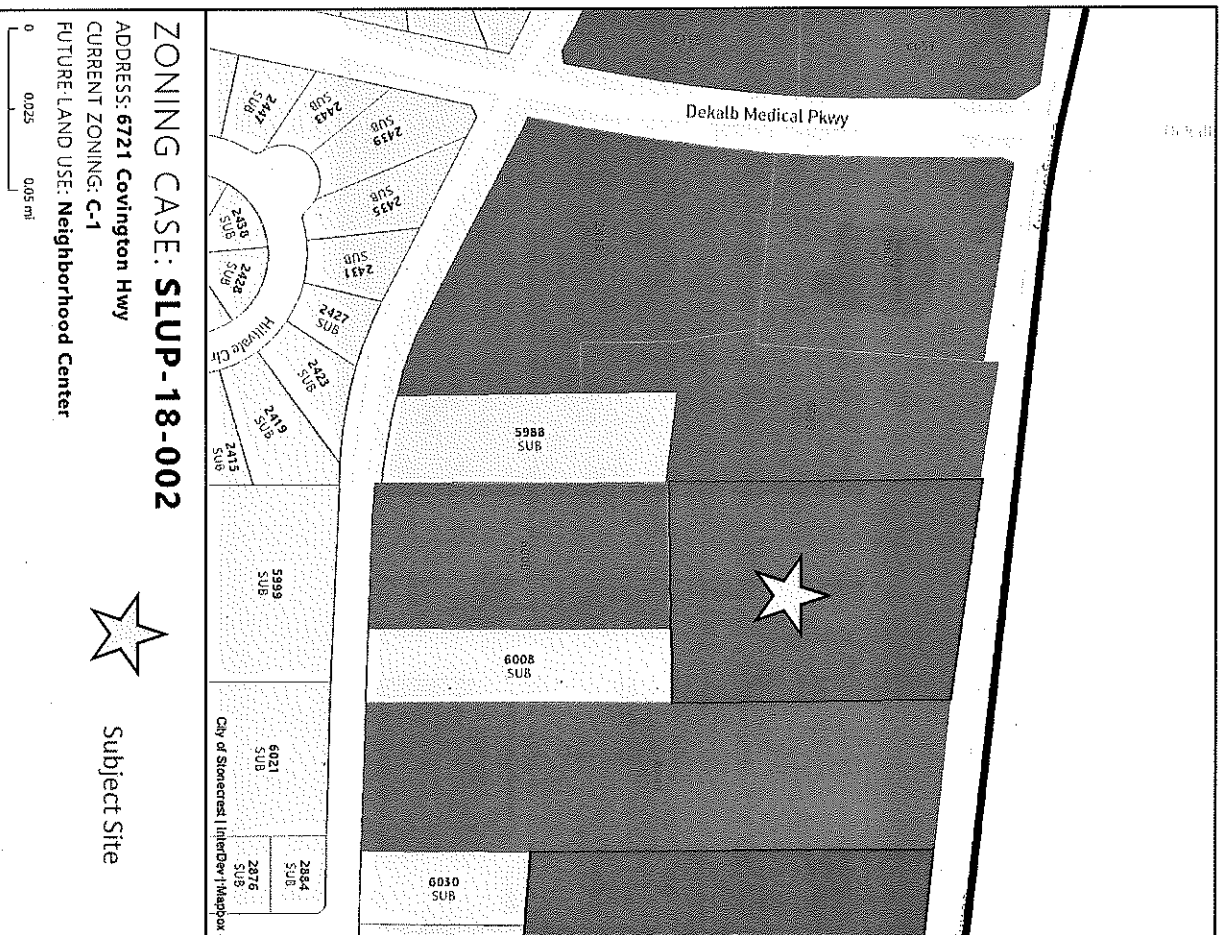
FUTURE LAND USE: Neighborhood Center

0 0.025 0.05 mi



Subject Site

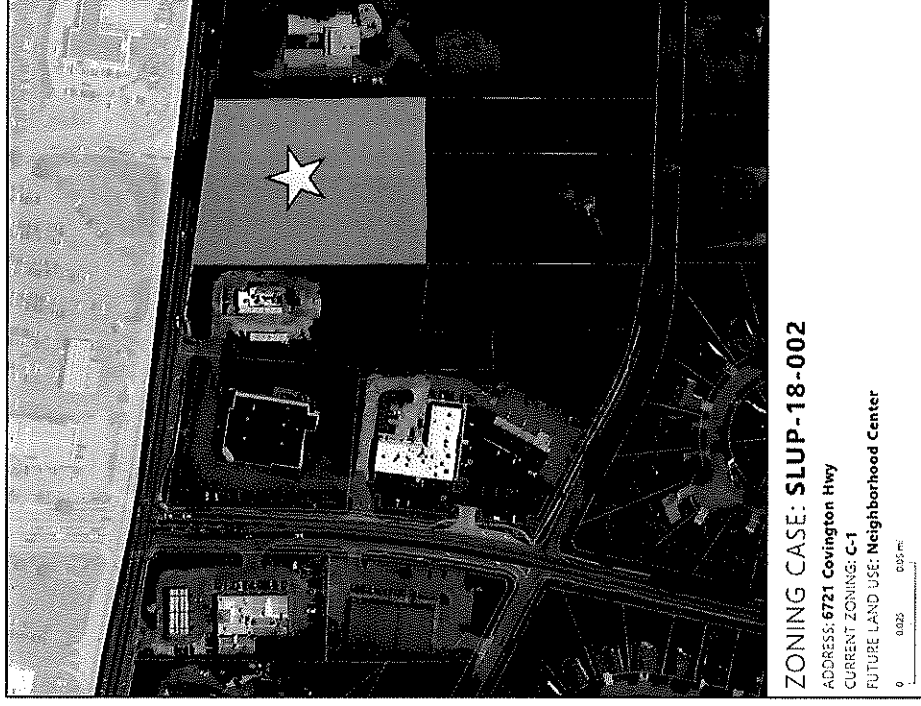
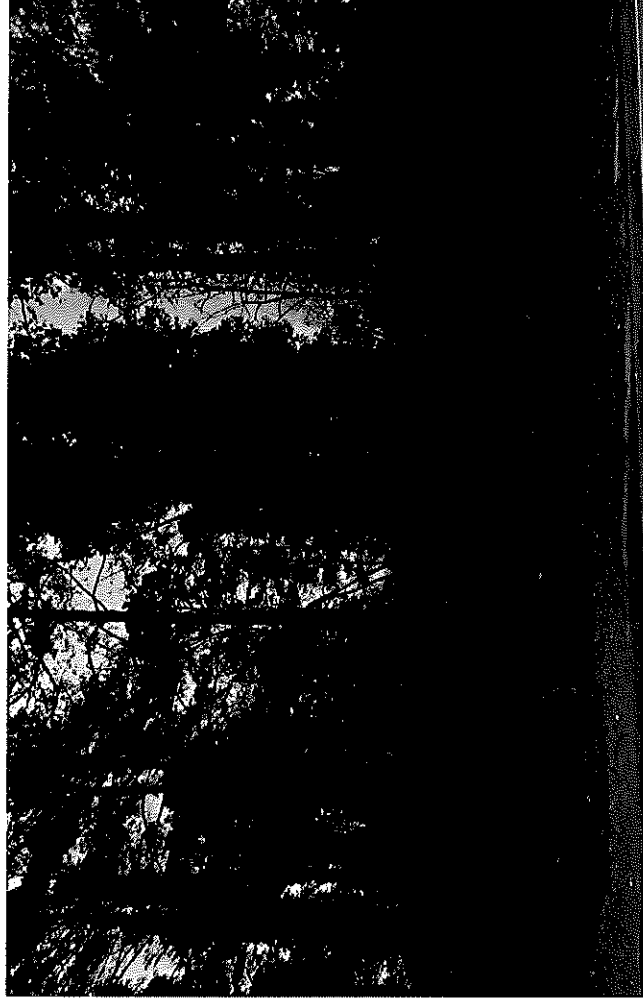
Future Land Use Map



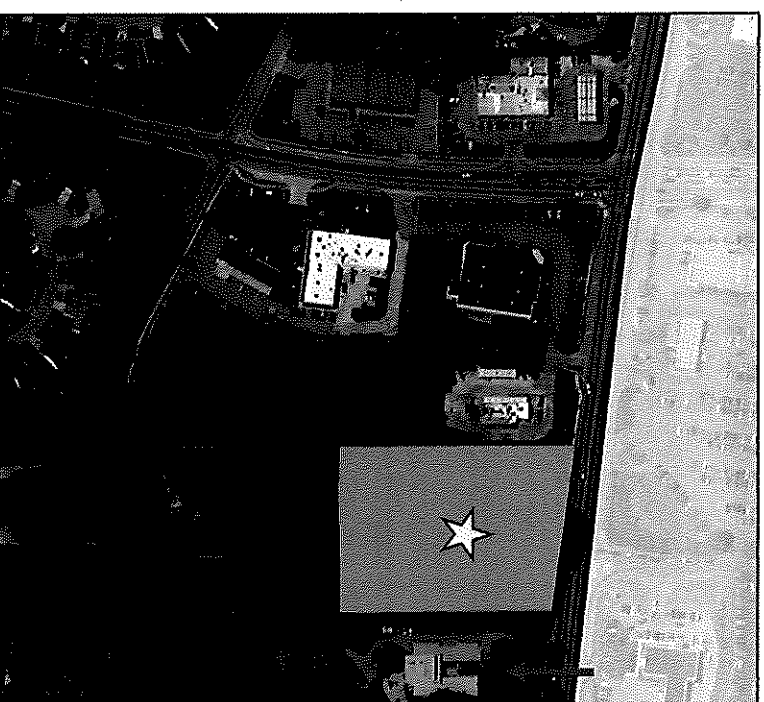
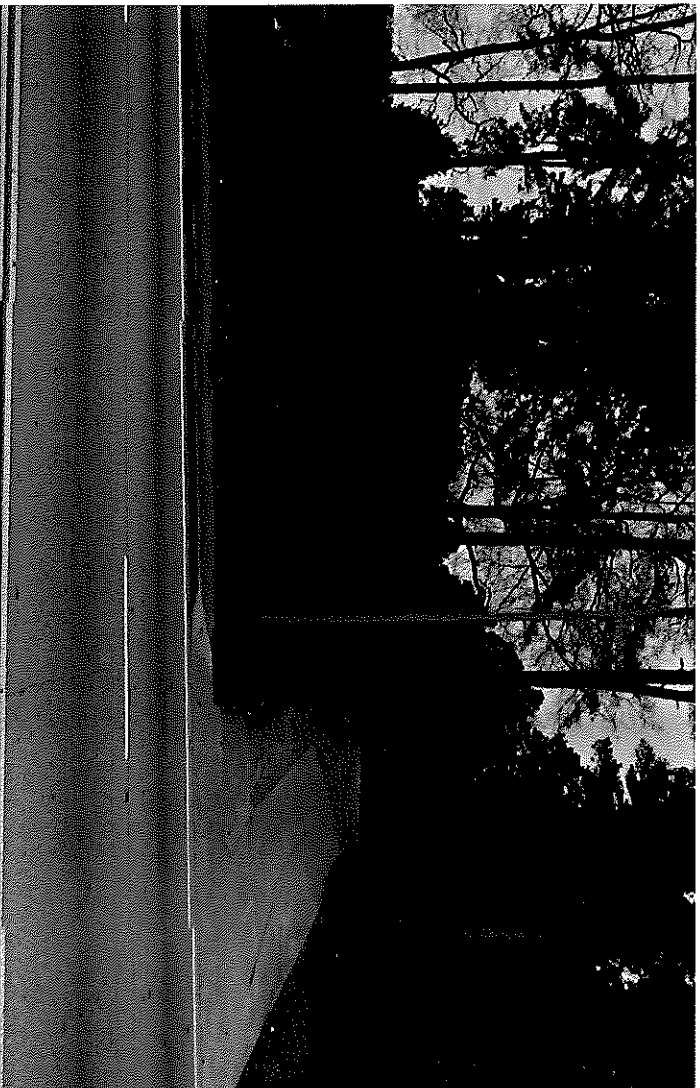
Current location and New location of proposed commercial development



View of the Subject Property from Covington Hwy



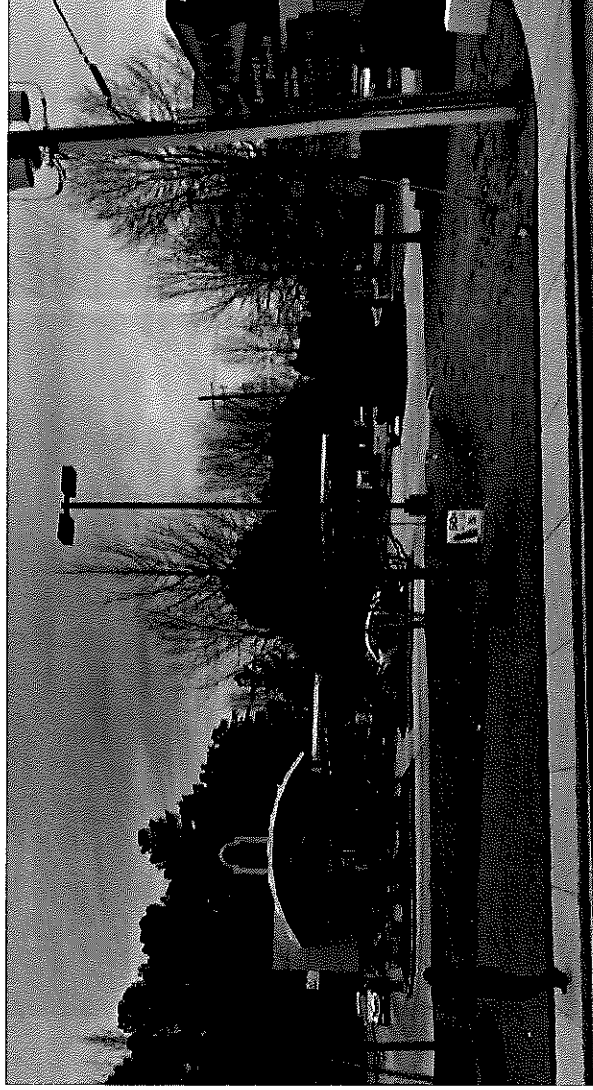
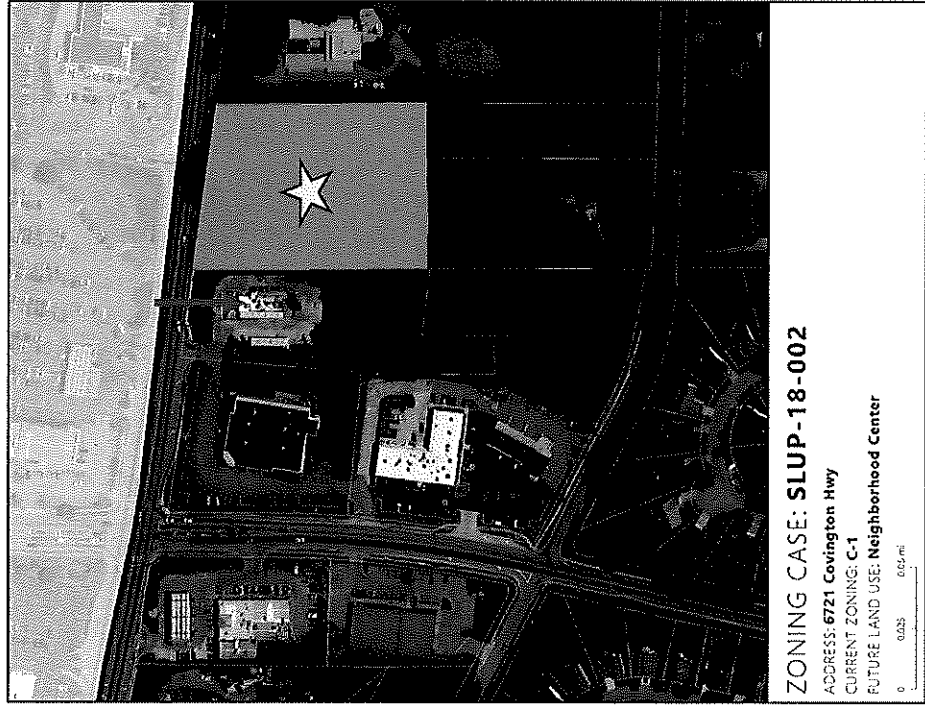
Woman Shelter located East of the subject Property off Covington Hwy



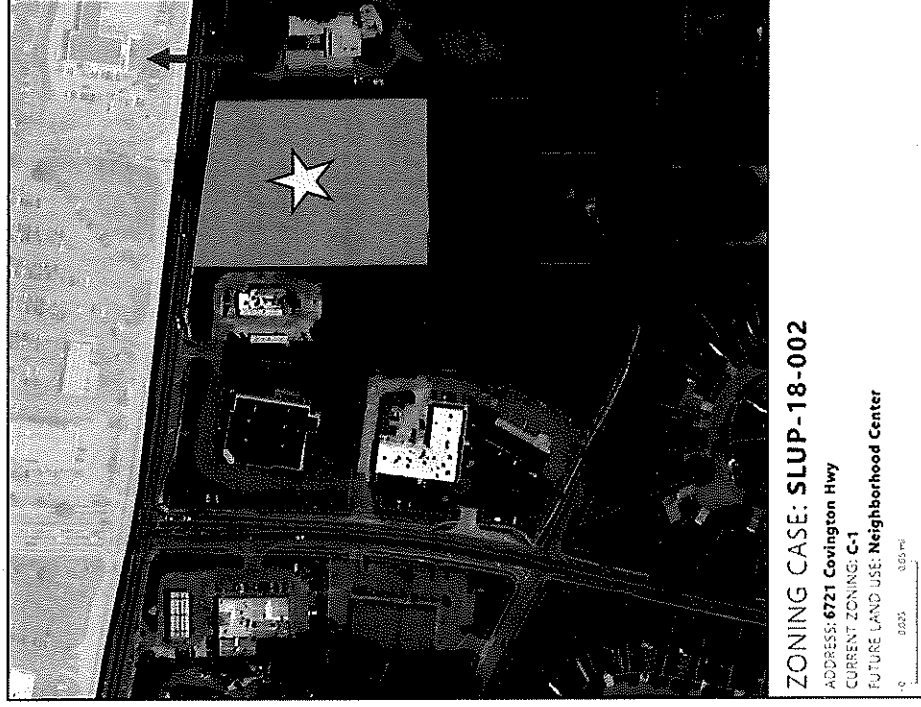
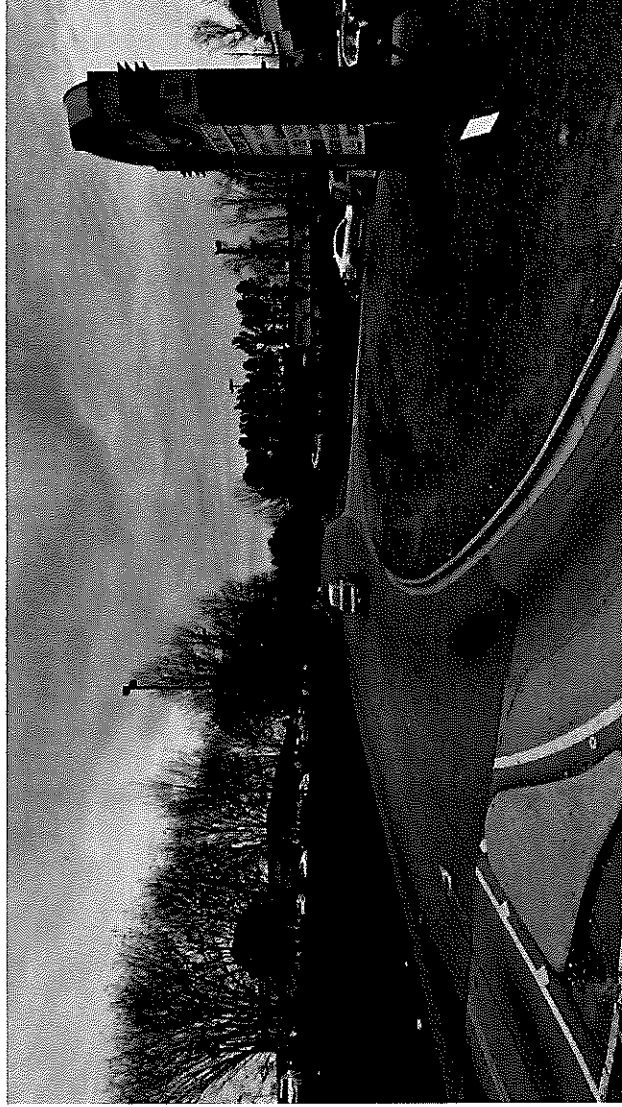
ZONING CASE: SLUP-18-002
ADDRESS: 6721 Covington Hwy
CURRENT ZONING: C-1
FUTURE LAND USE: Neighborhood Center

9 0.005 270.00'

Sonic Drive-Thru located to the West of the Subject property off Covington Hwy



Lithonia Crossing Shopping Center located to the North of the Subject property off Covington Hwy



ZONING CASE: SLUP-18-002

ADDRESS: 6721 Covington Hwy

CURRENT ZONING: C-1

FUTURE LAND USE: Neighborhood Center

-Q- 0.002 0.05 mi

Staff Analysis

Staff finds this petition:

- Consistent in use and scale with adjacent and nearby properties.
- Staff believes the proposed use would not be consistent with the needs of the neighborhood or the community as a whole, the use is compatible with the neighborhood as the neighborhood has turned into a commercial node and the proposed use would be compatible with the overall objective of the comprehensive plan.

Staff Recommendation

Based upon the findings and conclusions herein, Staff recommends

APPROVAL of this request:

1. Access on Covington Highway to be approved by Georgia Department of Transportation.
2. No access to Hillvale Road
3. Deceleration lane on Covington Highway if required by Georgia Department of Transportation.
4. Install an eight (8ft) privacy fence along the eastern property line adjacent to the women shelter.
5. The additional landscaped buffer along the privacy fence between the woman shelter located to the east of the proposed commercial development.
6. Compliance with the City of Stonecrest alcohol and liquor license requirement.
7. No consumption of alcohol or liquor shall be allowed on the premises. No tables or chairs for customers shall be provided.
8. The following uses shall be prohibited: restaurant with drive-through lanes, automobile, boat and trailer sales and services, car wash, late-night establishments, hotel & motels, adult entertainment, pawnshop, title pawns, check cashing and flea markets.
9. Outside storage and display of products are prohibited.
10. Architectural accents, where utilized, shall consist of non-reflective glass, glass block, natural stone, pre-cast concrete, brick, terra cotta, stucco.
11. Refuse area shall not be visible from the public street. The enclosures shall match the building material of the principal structure.

Planning Commission Recommendation

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11. Refuse area shall not be visible from the public street. The enclosures shall match the building material of the principal structure.
12. Extend proposed sidewalk to the east of the of the subject property and connect to the adjacent property owner driveway.
13. Install mounted surveillance cameras on the proposed liquor store.



CITY COUNCIL AGENDA ITEM

SUBJECT: Ordinance Adopting the City of Stonecrest Travel Policy and Procedures

☒ **ORDINANCE** ☐ **POLICY** ☐ **STATUS REPORT**
☐ **DISCUSSION ONLY** ☐ **RESOLUTION** ☐ **OTHER**

Date Submitted: 05/16/2018

City Council: 06/18/2018

SUBMITTED BY: City Clerk/City Attorney

PURPOSE: This item is to set the policy and procedures for travel and training in the City of Stonecrest. The first read was June 18, 2018

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION: Adoption of the Ordinance and Travel Policy

**AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA, ADOPTING THE
CITY OF STONECREST, GEORGIA, TRAVEL POLICY AND PROCEDURES**

WHEREAS, the City of Stonecrest, Georgia, Mayor, and City Council are authorized by the City Charter to authorize the expenditure of money for any purpose for which a municipality is authorized by the laws of the State of Georgia and O.C.G.A. § 36-35-4 authorizes the governing authority of each municipal corporation to fix the expenses of its municipal employees; and

WHEREAS, this Ordinance seeks to provide guidelines for the payment of necessary travel expenses in an efficient, cost effective manner, and require travelers execute their travel obligations at the lowest reasonable costs, resulting in the best value for the citizens of Stonecrest, Georgia.

THEREFORE, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as follows:

Section 1: The Mayor and City Council of the City of Stonecrest, Georgia, hereby adopt the City of Stonecrest, Georgia, Travel Policy and Procedures as contained in Exhibit "A" attached hereto and incorporated herein by this reference.

Section 2:

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.
2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City 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 Ordinance and that, to the greatest extent allowed

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

ORDINANCE 2018-_____

by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

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

5. The within ordinance shall become effective upon its adoption.

6. The provisions of this Ordinance shall become and be made part of The Code of the City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention

SO ORDAINED AND EFFECTIVE this the ____ day of _____, 2018.

Approved:

Jason Lary, Sr., Mayor

As to form:

City Attorney

Attest:

Brenda James, City Clerk

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EXHIBIT A

CITY TRAVEL REGULATIONS

INTRODUCTION:

PURPOSE

The purpose of this Policy is to provide guidelines for payment of travel expenses in an efficient, cost effective manner, and to enable travelers to successfully execute their travel requirements at the lowest reasonable costs, resulting in the best value for the City. Teleconferencing instead of travel should be considered when possible. Each department is charged with the responsibility for determining the necessity, available resources and justification for the need and the method of travel.

It is important for Elected Officials and employees to understand the intent of the Policy and work with their management on managing work related travel, accordingly.

AUTHORITY

The Mayor and Council are authorized to adopt rules and regulations governing in- state and out-of-state travel and travel reimbursement that promote economy and efficiency in city government and which treat elected officials and employees fairly and equitably. Appeals from a decision under this travel policy shall be taken to the Mayor and City Council. In the event that an Elected Official appeals a decision, the Elected Official shall be recused from voting on the appeal.

COMPLIANCE AND ACCOUNTABILITY

Throughout this document words like “must” and “should” are used. When the term “must” is used, no department or individual has the authority to deviate from the specific policy/procedure. The term “should” is used to convey that departments and individuals are expected to follow the policy/procedure as written and are required to justify any departures from such policy/procedure when the specifics of the situation indicate an alternate procedure is a reasonable departure from the recommended policy/procedure.

All departments and governing body are required to follow the guidelines outlined in the City of Stonecrest Travel Regulations. For disabilities, the City has authority to provide reasonable accommodations during travel on official city business.

All requests for reimbursements under this policy must be made within thirty (30) days of incurring the expense. The City will not reimburse travelers for expense requests made more than thirty (30) days after incurring the expense.

GENERAL PROVISIONS

The City of Stonecrest reimburses travelers for reasonable and necessary expenses actually incurred in connection with approved travel on its behalf pursuant to the traveler's official duties. All reimbursements for Elected Officials must be in accordance with the City's Charter and Georgia law. The City encourages travelers to take advantage of arranged travel discounts whenever possible.

A necessary expense is one for which there exists a clear business purpose and is within the City's expense policy limitations. A clear business purpose contains all information appropriate to and the purpose for attending and how the expenditure benefited the City.

Establishing policies and procedures for travel expenses enable the City to effectively comply with federal and state regulations.

These policies are intended to be guidelines for the planning and reimbursement of all City approved travel expenses. There are several key points to remember when incurring expenses on behalf of the City:

- Under no circumstances should an individual approve his/her own expense report. In most cases he/she should not approve the expense report of a person to whom he/she functionally or administratively reports.
- All expense reports must be submitted by the individual who incurred the expense.
- A large number of exceptions or Policy violations will increase the likelihood of expense report audits.
- The City will not reimburse employees or Elected Officials for personal expenses.
- The Elected Official is required to return any unused portion of a reimbursement.
- All travelers must return any amounts paid in excess of expenses within a reasonable time, not to exceed thirty (30) days.
- All expense reports and receipts are subject to the Open Records Act.
- When submitting an expense report, the traveler is subject to O.C.G.A. § 16-10-20, which lists the punishment for making false statements and writings, concealing facts, and presenting fraudulent documents in matters within the jurisdiction of state or political subdivisions.

AUTHORIZATION FOR TRAVEL:

Elected Officials and employees may be reimbursed for reasonable travel-related expenses incurred while on official business for the City. Subject to the provisions outlined in these travel regulations, reimbursements are authorized for the following expenses:

CITY OF STONECREST TRAVEL POLICY AND PROCEDURES

- Meals associated with overnight travel and in certain circumstances where there is no overnight lodging;
- Lodging expenses;
- Mileage for use of a personal motor vehicle;
- Transportation expenses; and
- Certain miscellaneous expenses associated with travel, such as parking and toll fees.

AUTHORIZATION FOR EMPLOYEE TRAVEL

Elected Officials and employees who are required to travel for their job and are eligible for travel reimbursement should receive authorization from their department head or other designated official prior to performing the travel. For Elected Officials, the designated official is the City Manager. Except in the case of emergencies, requests for travel authorization should be made at least seven (7) days prior to date of travel.

Departments must utilize the travel request form for in-state and out-of-state travel. However, department heads or their designees should specifically authorize out-of-state travel prior for each trip. Signature of the approving official on the travel expense form constitutes authorization of employee travel. Each department should provide the City Manager with a list of all persons/positions authorized to approve travel expense statements.

TRAVEL TO CONFERENCES FOR CERTIFICATION PURPOSES

Department heads, Elected Officials and employees traveling to or for certification purposes should limit their travel to these conferences and prohibit “discretionary” travel. If travel for certification is necessary, then efforts should be made to seek a location within the State of Georgia or closer to Georgia.

REIMBURSEMENT PROCEDURES

Elected Officials and employees requesting reimbursement for travel expenses are required to submit their claim to authorized personnel on the employee travel expense statement within thirty (30) days of incurring the expense.

Requests for reimbursement should include the following information:

- Itemized expenses for authorized lodging, mileage, transportation, and miscellaneous expenses. The types of expenses which are authorized and the allowable limits are discussed in subsequent sections;

CITY OF STONECREST TRAVEL POLICY AND PROCEDURES

- Explanation of any expenses which exceed the established limits and of any unusual expenses;
- Explanation of the purpose for the trip; and
- Description of the type(s) of transportation used.

Elected Officials and employees are required to sign their travel expense statement, attesting that the information presented on the form is accurate.

Elected Officials and employees are required to submit receipts for expenses, including:

- Meals purchased,
- Lodging,
- Airline or Railroad fares,
- Rental of motor vehicles,
- Registration Fees,
- Gasoline purchased for rental vehicles,
- Parking,
- Tollway,
- Mass transit,
- Taxi, and
- Airport vans.

If a receipt is not available, Elected Officials and employees are required to include an explanation of the expense on the travel expense statement. Credit card receipts are valid provided they contain complete details of the purchase.

BAGGAGE AND LUGGAGE FEES – Baggage and luggage fees are a reimbursable expense. All travelers should consider the extra fees charged by the airlines prior to making their travel arrangements and plan accordingly. When combining personal travel and City business travel, baggage and luggage fees should be allocated accordingly and reasonable under the circumstances.

MEALS AND INCIDENTAL TRAVEL EXPENSES:

Generally, meals are reimbursable on an actual expense basis, subject to the maximum amount below. These maximum rates for meal expense reimbursement for each day is fifty-five dollars (\$55.00). On the first and last day of travel, the maximum rates for meal expense reimbursement is capped at seventy-five (75%) the daily rate, or forty-one dollars and twenty-five cents (\$41.25). t

However, the traveler may only receive reimbursement for the actual expense of the meal.

It should be noted that the City of Stonecrest Travel Regulations **does not** authorize Elected Officials and employees to receive a reimbursement for a “lunch meeting” in which the meal and meeting are the same, or when meals are otherwise provided at the meeting.

Reimbursement for meals must be reasonable and necessary.

LODGING EXPENSES:

Elected Officials and employees who travel more than 50 miles from their office and/or residence, may be reimbursed for lodging expenses associated with approved overnight travel.

Elected Officials and employees will be reimbursed for the actual lodging expenses, providing the expenses are reasonable.

Elected Officials and employees traveling overnight are responsible for ensuring the most reasonable lodging rates are obtained. To accomplish this, the employee should:

- Provide human resources with information about hotel accommodations,
- Utilize minimum rate accommodations,
- Avoid the “deluxe” hotels and motels, and
- Obtain city/government rates, whenever possible.

Elected Officials and employees who stay at a hotel/motel that is holding a scheduled meeting or seminar may incur lodging expenses that exceed the rates generally considered reasonable if no alternative hotels or lodging is available or the higher cost is justified in order to avoid excessive transportation costs between a lower cost hotel/motel and the location of the meeting.

Elected Officials and employees should review hotel/motel receipts to ensure that taxes have not been applied to their lodging expenses in accordance with the state tax laws and regulations.

Elected Officials and employees should attempt to resolve any problems with the billing prior to checkout.

Local government officials and Elected Officials and employees traveling within the state for official business are exempt from paying the *county or municipal excise tax* on lodging (“hotel/motel” or “occupancy” tax). [OCGA 48- 13-51 (H) (3)], regardless of the payment method being used. Elected Officials and employees are required to submit a copy of the hotel/motel tax-exemption from when they register at a hotel/motel. This exemption does not apply to Elected Officials and employees staying at an out of state hotel/motel. Elected Officials and employees should be able to provide proper identification to document their employment as a City/local government employee or official.

A traveler may use a privately-owned vehicle when it is in the best interest of the City. The approving official shall be responsible for substantiating that use of a privately-owned vehicle is in the City’s best interest. Mileage rates are based on the federal per diem rate in effect and the most advantageous form of travel. The traveler shall receive a mileage reimbursement equal to the established rates. If the use of a personal vehicle is the most advantageous, the following conditions have to be met:

- No suitable City vehicle is available.
- Traveling outside the city, but within 300-mile radius of the city.
- In Georgia, state statute specifies that Automobile Insurance follows the vehicle. If a personal auto is being used, the personal auto policy covering that vehicle would be responsible for any loss.

PROHIBITED MILEAGE REIMBURSEMENT – Elected Officials and employees are not entitled to mileage reimbursement for travel between their place of residence and their official headquarters, or personal mileage incurred while on travel status.

PARKING FEES AND TOLLS – the City may reimburse elected officials and employees who incur parking and toll expenses while on official business for the City. Elected Officials and employees that attend offsite meetings or training sessions may also be reimbursed for parking expenses. These expenses are reimbursable for travel in both city-owned and personal vehicles. Elected Officials and employees are expected to obtain receipts for these expenses. If it is not possible to obtain a receipt, then a written explanation should be included on the expense statement.

TRAVEL EXPENSES & REQUIRED RECEIPTS/DOCUMENTATION – All requests for reimbursement of mileage, parking, and toll charges must be documented on the travel expense statement and a receipt must accompany the documentation. Employee should claim mileage based on the most direct route from the point of departure to the destination.

TRAVEL BY COMMERCIAL or PUBLIC TRANSPORTATION

When commercial transportation is necessary, elected officials and employees may be reimbursed for the expenses incurred. Elected Officials and employees will be reimbursed for actual expenses incurred, provided the appropriate steps were taken to obtain the lowest possible fare or cost.

Authorized department personnel must approve travel by commercial or public transportation prior to the date of travel. When considering such a request, designated personnel should consider the distance to be traveled, the travel time and the cost.

COMMERCIAL AIR TRANSPORTATION

Elected Officials and employees should utilize commercial air transportation when it is more cost effective and efficient to travel by air than by vehicle. Elected Officials and employees who choose to travel by personal vehicle when air travel is more cost effective should only be reimbursed for the cost of the lowest available airfare to the specified destination. In some instances, a higher airfare may be appropriate to reduce or eliminate for multiple stops and extended travel time.

CITY OF STONECREST TRAVEL POLICY AND PROCEDURES

Under such circumstances, the City of Stonecrest may reimburse elected officials and employees for expenses incurred for air travel, provided these expenses were approved prior to the date of travel. Additionally, the City may reimburse elected officials and employees for reasonable expenses associated with selecting seats or checking bags. These expenses should be included in the total cost of the airline ticket.

Elected Officials and employees who require air travel should obtain the lowest available airfare to the specified destination by comparing rates as follows:

- Utilize the Internet (i.e. Priceline.com, Expedia.com, Travelocity.com)
- Contact carriers directly

Tickets may be purchased using a city issued city charge card, personal credit card (on an as-needed basis with prior approval of the City Manager).

In general, it will be the City's policy that the Mayor and Council Members or Elected Officials and employees traveling by commercial air carrier travel in the most cost-effective manner and utilize the lowest possible coach fares. City Officials or Elected Officials and employees traveling by commercial air carrier will not be reimbursed for the portion of non-coach (first class, business class, etc.) airfare that exceeds the cost of the lowest, available fare on the same flight.

TRAVEL BY MASS TRANSPORTATION, TAXI OR AIRPORT VANS

Elected Officials and employees officially on travel status may be reimbursed for necessary costs of transportation by bus, taxi, or airport vans for the following situations:

- Between the individual's departure point and the common carrier's departure point;
- Between the common carrier's arrival point and the individual's lodging or meeting place; and
- Between the lodging and meeting places if at different locations.
- Elected Officials and employees will be reimbursed for economy parking only.

It is expected that airport vans will be utilized when available and practical, and when they are the lowest cost alternative.

UNALLOWABLE EXPENSES

The following expenses are not reimbursable unless specific legal authority has been established:

- Laundry (allowable when overnight travel exceeds seven (7) consecutive days)
- Tipping for maid services

CITY OF STONECREST TRAVEL POLICY AND PROCEDURES

- Theatre
- Entertainment
- Alcoholic beverages
- Bank charges for ATM withdrawals
- Clothing or toiletry items
- Commuting between Residence and Primary Work Station
- Country Club dues
- Expenses related to vacation or personal days taken before, during or after a business trip
- Haircuts and personal grooming
- Laundry, cleaning, pressing costs for trips of less than seven days
- Loss or theft of cash advance, money or airline tickets
- Loss or theft of personal funds or property
- Lost baggage
- Luggage or briefcases
- Medical expenses while traveling (*Exceptions may be made to accommodate ADA compliance*)
- Mini-bar charges
- Movies
- No-show/Cancellation fees or fees related to hotel late check-out (unless business or weather related)
- Personal reading materials (magazines, newspapers, etc.)
- Personal vehicle maintenance
- Personal entertainment
- Personal Pet care
- Recreational expenses
- Saunas, massages
- Shoe Shines
- Souvenirs or personal gifts
- Traffic citations (moving violations), parking tickets, court fees and other fines
- Travel accident insurance premiums
- Valet services for parking, when self-parking options are available, unless there are valid security reasons

CITY CHARGE CARDS

The City Manager or his/her designee may issue city charge cards to eligible Elected Officials and employees upon approval. City charge cards are beneficial because they:

- Reduce the employee's and the city's cash flow by minimizing the need for cash advances;
- Reduce the frequency of reimbursements for travel expenses;

CITY OF STONECREST TRAVEL POLICY AND PROCEDURES

- Require no annual membership fee or finance charges if paid within the terms of the agreement;
- Provide emergency cash to the employee;
- Eliminate the need for the City to directly pay airline tickets and car rental agencies;
- Provide guarantee for hotel rooms and other services requiring a deposit; and
- Provide the city with various financial reports regarding employee travel expenses.

Elected Officials and employees who are issued city charge cards are authorized to use the charge cards for business purposes only.