



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 Tammy Grimes – District 5

SPECIAL CALLED MEETING AGENDA

VIRTUAL MEETING

June 7, 2021 at 6:00 P.M.

Citizen Access: URL

- I. CALL TO ORDER:** Mayor Pro Tem, George Turner
- II. ROLL CALL** – Patricia Wheeler, Acting City Clerk
- III. AGENDA DISCUSSION ITEMS:**
 - a) Extension of Moratorium on Car Service Station
 - b) Creation of a Community Council
 - c) Proposed Amendments to the Zoning Ordinance
 - d) Revocation of Check Signing Privileges
- IV. ADJOURN**

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CITY COUNCIL AGENDA ITEM

SUBJECT: Extension of Moratorium on Car Service Stations

ORDINANCE **POLICY** **STATUS REPORT**

DISCUSSION ONLY **RESOLUTION** **OTHER**

Date Submitted: 5/27/2021 Work Session: 6/7/2021 Council Meeting:

SUBMITTED BY: Jim Summerbell, AICP

PRESENTER: Jim Summerbell, AICP

PURPOSE: A 120-day moratorium on the acceptance of permit application for gas stations was approved by City Council on February 7, 2021. Staff is preparing a draft of the amendment to the Zoning Ordinance to address the issues of concern that prompted the moratorium, but it has to be presented to the Planning Commission at a Public Hearing for their recommendation as required by Article 7. – Administration of the Zoning Ordinance.

The extension would be for an additional 60 days, or upon approval by the City Council of the amendment to the Supplemental Use Regulations, whichever comes first. If City Council decides to deny the Moratorium Extension, then applications for permits for gas service stations will be accepted before any changes to the Zoning Ordinance concerning their regulation as a use can be made.

OPTIONS: Approve or Deny

RECOMMENDED ACTION: Approve

ATTACHMENTS:

1. DRAFT Ordinance to Extend the Moratorium on Gas Service Stations

**AN ORDINANCE OF THE CITY OF STONECREST, GEORGIA
EXTENDING INTERIM DEVELOPMENT CONTROLS ON THE
ACCEPTANCE OF ANY APPLICATION FOR SPECIAL USE PERMIT OR
BUILDING PERMIT FOR WHICH A SPECIAL USE PERMIT HAS NOT
BEEN APPLIED FOR, FOR PROPOSED SERVICE STATIONS WITHIN
1,500 FEET OF AN EXISTING OR PERMITTED SERVICE STATION;
AND FOR OTHER PURPOSES.**

WHEREAS, there has been a proliferation of gas stations, categorized as “service stations” in the City of Stonecrest; and

WHEREAS, the Stonecrest City Council desires develop regulations to address the concentration of service stations in the City and to promote a diversity of land uses along these corridors; and

WHEREAS, the Stonecrest City Council finds that requiring a distance requirement between service stations will not negatively impact the intent of the City of Stonecrest Zoning Ordinance; and

WHEREAS, it is necessary to impose a moratorium, consistent with the proposed amendment to maintain the status quo while the zoning process is completed; and

WHEREAS, service stations within 1,500 feet of an existing or permitted service station would negatively affect the public health, safety and general welfare and frustrate the zoning process; and

WHEREAS, moratoria are a well-recognized and court-sanctioned land use tool in furtherance of local planning and zoning powers by preserving the status quo while the governing authority formulates a more permanent development strategy. Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency, 535 U.S. 302 (2002); City of Roswell v. Outdoor Systems, Inc., 274 Ga. 130 (2001); and

WHEREAS, the enhancement of the aesthetic appeal of a community is a proper exercise of police power. Stone v. Maitland, 446 F.2d 83 (5th Cir. 1971); Standard Oil Co. v. City of Tallahassee, 183 F.2d 410 (5th Cir. 1950); and

WHEREAS, City staff is preparing Zoning Ordinance Amendments to regulate Gas Service Stations, and additional time is needed to properly process these amendments under the provisions of Article 7 of the Stonecrest Zoning Ordinance.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

Section 1. The moratorium imposed by the City Council on February 7, 2021, restricting the Director of Planning & Zoning from accepting any application for special use permit, land

disturbance permit, or building permit for proposed new construction of service stations within 1,500 feet of an existing or permitted service station shall be extended for an additional sixty (60) days.

Section 2. For the purposes of this ordinance, new construction shall be defined as any construction which would result in one or more new buildings, increased lot coverage, and/or modification of the existing building footprint. Additions to existing buildings shall constitute new construction.

Section 3. The moratorium imposed by this ordinance will expire sixty (60) days from the date that this ordinance becomes effective. Notwithstanding the foregoing, if there is a final vote of the City Council on the proposed amendment before the expiration of the sixty (60) days, the moratorium will expire on the date when the proposed amendment becomes effective or on the date when the City Council votes to deny the proposed amendment.

Section 4. This moratorium shall not preclude the Director of Planning and Zoning from accepting or issuing a land disturbance or building permit for which a special use permit has been applied for or issued for proposed new construction of service stations within 1,500 feet of an existing or permitted service station prior to February 7.

Section 5. This ordinance shall become effective immediately upon its adoption.

SO ORDAINED AND EFFECTIVE this the ____ day of _____, 2021.

Approved:

George Turner., Mayor Pro Tem

As to form:

City Attorney

Attest:

Pat Wheeler, City Clerk



CITY COUNCIL AGENDA ITEM

SUBJECT: Creation of a Community Council

ORDINANCE POLICY STATUS REPORT
 DISCUSSION ONLY RESOLUTION OTHER

Date Submitted: 5/27/2021 Work Session: 6/7/2021 Council Meeting:

SUBMITTED BY: Jim Summerbell, AICP

PRESENTER: Jim Summerbell, AICP

PURPOSE: As directed to staff by City Council at the City Council May 22 Special Called Meeting, staff has prepared some recommended internal policies and procedures regarding the creation of a Community Council. A trial period of 3 months will be undertaken to apply these changes after which time recommended changes in the policies and procedures or formalized amendments to the City Code of Ordinances will be presented to the City Council for their consideration.

Please note that if amendments to the Zoning Ordinance are proposed as part of this effort, these amendments will need to be presented to the Planning Commission at a Public Hearing as required in Article 7. – Administration of the Zoning Ordinance of the Stonecrest Zoning Ordinance before they can be acted upon by City Council.

OPTIONS: (1) No action at this time, (2) approve the recommended 3-month trial period for an informal Community Council policies and procedures, or (3) direct staff to formalize the creation of a Community Council and draft amendments to the City Code of Ordinances for the City Council’s consideration.

RECOMMENDED ACTION: Adoption of recommended policies and procedures regarding the creation of a Community Council.

ATTACHMENTS:

1. Recommended policies and procedures regarding the creation of a Community Council.

Recommended policies and procedures regarding the creation of a Community Council

1. On the third Monday of every month beginning on June 21, 2021 at 6 PM, conduct a Community Council meeting at City Hall.
2. Set the Agenda for the Community Meeting one week in advance at the City Council Regular Work Session.
3. Agenda topics will include:
 - a. A report from Planning & Zoning on upcoming zoning and appeals cases, development activity, design concept reviews, and planning related projects,
 - b. A report from the City Engineer on upcoming transportation projects,
 - c. A report from the Building Department on ongoing building activity and permit applications,
 - d. Presentation by applicants on proposed developments of community concern, and
 - e. Any items that City Manager or City Council would like to add to the agenda.
4. The meetings will be facilitated by the City Manager or their designee(s), participants will be granted an opportunity for Q&A after presentations have been made.
5. Communications:
 - a. Online access – The meetings will be recorded and available for virtual participation on Zoom, and streamed on YouTube.
 - b. Advertisement – of the meeting will be made on the City Website, Social Media channels, and by public notice through “On Common Ground”.
 - c. An email list of those members of the community that will be notified each month of the upcoming meeting will be maintained, and email notices of the meeting will be sent out the day after the meeting agenda is set.



CITY COUNCIL AGENDA ITEM

SUBJECT: Proposed Amendments to the Zoning Ordinance

ORDINANCE POLICY STATUS REPORT
 DISCUSSION ONLY RESOLUTION OTHER

Date Submitted: 5/27/2021 Work Session: 6/7/2021 Council Meeting:

SUBMITTED BY: Jim Summerbell, AICP

PRESENTER: Jim Summerbell, AICP

PURPOSE: As directed to staff by City Council at the City Council May 22 Special Called Meeting, Staff is preparing a draft of the amendments to the Zoning Ordinance that address the issues of urgent concern. As required in Article 7. – Administration of the Zoning Ordinance of the Stonecrest Zoning Ordinance, such amendments must be presented to the Planning Commission at a public hearing for their recommendation before being acted upon by City Council. Toward this end, staff is working with the Planning Commission to schedule either a Special Called Meeting on June 15 or to take up these amendments at their next regular called meeting on July 6, but a date has not been set yet.

OPTIONS: N/A

RECOMMENDED ACTION: N/A

ATTACHMENTS: None



CITY COUNCIL AGENDA ITEM

SUBJECT: Revocation of Check Signing Privileges

- ORDINANCE** **POLICY** **STATUS REPORT**
 DISCUSSION ONLY **RESOLUTION** **OTHER**

Date Submitted:06/03/2021 **Work Session:** **Council Meeting:** 06/07/2021

SUBMITTED BY: Jim Nichols, Deputy City Manager

PRESENTER: Janice Allen Jackson, Acting City Manager

PURPOSE:

OPTIONS:

RECOMMENDED ACTION:

ATTACHMENTS: