

# TMOD22-012

## Animal Exhibition

Approved May 22, 2023

CHAPTER 27: ZONING ORDINANCE

ARTICLE 4 – USE REGULATIONS

DIVISION 1. OVERVIEW OF USE CATEGORIES AND USE TABLE

**Sec. 4.1.3. Use table.**

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

- A. The uses listed in Table 4.1 shall be permitted only within the zoning districts identified, and no use shall be established and no structure associated with such use shall be erected, structurally altered or enlarged unless the use is permitted as:
  1. A permitted use (P);
  2. A special use (SP) subject to the special land use permit application procedures specified in article 7 of this chapter;
  3. An administratively approved use (SA) subject to the special administrative permit procedures specified in article 7 of this chapter;
  4. An accessory use (PA) as regulated by this article 4 of this chapter. Table 4.1 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
  5. Uses lawfully established prior to the effective date of this zoning ordinance.
- B. Any use not listed in Table 4.1, below, or interpreted to be allowed by the director of planning pursuant to section 4.1.2 is prohibited. Any applicant denied a permit to allow a use of property in a zoning district other than as provided in this section may file an appeal before the zoning board of appeals as provided in article 7 of this chapter.
- C. If there is a conflict between Table 4.1 and the text of this chapter, the text shall prevail.

Ordinance 2023-05-01

Hospital or accessory ambulance service														P	P									P	P	
Library or museum								P	P	P			P	P	P	P	P				P	P	P	P		
Neighborhood or subdivision	P	P	P	P	P	P	P	P	P	P	P	P	P								P	P	P	P	✓	
clubhouse or amenities																										
Recreation club	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP		SP													SP	✓
Places of worship	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP		SP	P	P	P	P	P	P	P	P	P	P	P	P	✓	
Recreation, outdoor																	P	P	P	P					✓	
Swimming pools, commercial	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP	SP	SP	P	P		P	P	P	P				Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community,	P a	Pa	Pa	P a	P a	P a	Pa	Pa	Pa	Pa	Pa	Pa	P	P		P	P	P	P				Pa	Pa	Pa	✓
Use	R E	RL G	R10 0	R - 8 5	R - 7 5	R - 6 0	RS M	M R1	M R2	HR- 1,2, 3	MH P	RN C	O I	OI T	N S	C 1	C 2	O D	M	M -2	M U- 1	M U- 2	M U- 3	M U- 4,5	See Secti on 4.2	

Table 4.1. Use Table





CHAPTER 27: ZONING ORDINANCE

ARTICLE 4 – USE REGULATIONS

DIVISION 2. SUPPLEMENTAL USE REGULATIONS

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

1. **Be conducted entirely within an enclosed building.**
2. **Not produce noise, dust, liquids, fumes, odors or other irritants that may affect surrounding residents, business owners or property owners.**
3. **Be properly insured and provide proof of such insurance to the City of Stonecrest.**
4. **Provide written permission from the owner or property manager of the building to be occupied as an indoor Animal Exhibition to the City.**
5. **Display a copy of all required valid licenses and permits in a prominent place on premises.**
6. **Be licensed and comply with all rules and regulations for a “Licensed Class C – Exhibitor” under the Animal Welfare Act (7 U.S.C. 2131 et seq.) and as regulated by the United States Department of Agriculture (USDA) regulations established in the most recent issue of “USDA Animal Care – Animal Welfare Act and Animal Welfare Regulations” (aka the USDA Blue Book). [https://www.aphis.usda.gov/animal\\_welfare/downloads/bluebook-ac-awa.pdf](https://www.aphis.usda.gov/animal_welfare/downloads/bluebook-ac-awa.pdf).**  
**All required licensing shall be renewed prior to expiration and a copy provided to the City. Upon expiration or nonrenewal of the license, the use shall immediately cease operations until a copy of a valid license is provided to the City.**
7. **Comply with the Georgia Department of Agriculture Animal Health Division regulations as established in the Rules and Regulations of the State of GA Chapter 40-13.**

8. Comply with applicable standards of the Georgia Department of Natural Resources (DNR) for the regulation of nonnative species as per the regulated wild animals/exotics types (<https://gadnrle.org/exotics>), and restricted non-native species found in O.C.G.A. §27-5-4.
9. Comply with applicable regulations and standards for regulated native species as per the Georgia DNR's laws related to native wildlife (<https://gadnrle.org/laws-native-wildlife>). The Georgia DNR shall be notified prior to adding additional regulated species prior to acquisition. Proof of notification and approval may be required at any time by the City of Stonecrest to ensure compatibility.
10. Comply with the Georgia Department of Agriculture (GDA) regulations for general requirements for animal health and disease prevention, including following all requirements for importing animals from out of state, for intrastate transportation, vaccination and quarantine requirements, as applicable, as per the Rules and Regulations of the State of Georgia Chapter 40-13 (<http://rules.sos.state.ga.us/GAC/40-13>).
11. Comply with the Georgia Department of Public Health regulations pertaining to reporting rabies exposure.
12. Comply with DeKalb County requirements for "hazardous animals" as per DeKalb County Code of Ordinances, Chapter 5 – Animals.
13. Comply with § 27-5-5 - Wild animals for which license or permit required :: 2010 Georgia Code :: US Codes and Statutes :: US Law :: Justia
14. Comply with the National Association of State Public Health Veterinarians (NASPHV) standards for protection of human health.
15. The proposed animal exhibition use shall only be allowed in the character areas identified as compatible with the use, and only within specified zoning districts that are found in one of those character areas. The following parameters shall control the location of the exhibitions:



A. Indoor Animal Exhibitions shall only be allowed in the City Center Character Area and the Regional Center Character Area and on properties zoned C-1 Local Commercial District or C-2 General Commercial District.

B. The Indoor Animal Exhibition use shall be added to the C-1 Local Commercial District and the C-2 General Commercial District in Table 4.1. Use Table under the Recreation and Entertainment Use section of Chapter 27 Zoning Ordinance Article 4. Use Regulations as a use subject to Mayor and Council approval of a Special Land Use Permit.

C. Outdoor Animal Exhibitions shall only be allowed in the Conservation/Open Space Character Area and on properties within the Arabia Mountain Conservation Overlay District.

D. The Outdoor Animal Exhibition use shall be added to Table 3.1 Overlay Use Table under the Recreation and Entertainment Land Use section of Chapter 27 Zoning Ordinance Article 3. Overlay District Regulations for the Arabia Mountain Conservation Overlay District as a use subject to Mayor and Council approval of a Special Land Use Permit.

As relates to *Outdoor Animal Exhibitions*, such use shall comply with paragraphs 1. through 15. directly above and the following additional regulations:

1. Outdoor animal exhibitions shall only be operated between the hours of 8:00 AM and 8:00 PM.
2. No building that houses animals, or enclosure that confines animals, shall be placed less than one hundred (100) feet from a common property boundary with a residential use or a residential zoning district.

ARTICLE 9 – DEFINITIONS

Indoor Animal Exhibitions means the display of any animal to the public in an enclosed building. Such exhibitions may include, but are not limited to indoor zoos, indoor petting zoos, aquariums, bird aviaries, butterfly exhibits, museums with live exhibits and educational venues. Indoor animal exhibitions shall not include retail pet stores, the keeping of household pets, livestock shows, purebred dog or cat shows, and similar events.

Outdoor Animal Exhibitions means the display of any animal to the public in an open-air structure such as a corral or other fenced area. Outdoor animal exhibitions may include, but are not limited to, outdoor zoos, outdoor petting zoos, wildlife or fauna parks and similar venues. This use shall not include agricultural fairs, livestock shows, purebred dog or cat shows, or similar events. Outdoor animal exhibitions are not considered agricultural fairs where animals are displayed on exhibition grounds for comparing and judging the qualities and characteristics of various breeds and species of animals. The main purpose of such exhibitions is not to market “for sale,” animals, but merely for their display.

For purposes of this text modification, carnivals, circuses, and similar venues are not considered outdoor animal exhibitions; rather these temporary events are subject to the regulations of Sec. 4.3.1. Temporary outdoor uses, general requirements; Sec. 4.3.2. Duration, frequency and hours of operation of temporary outdoor uses; and Sec. 4.3.5. Temporary outdoor events.

# TMOD22-014

## CPIM Ordinance

Approved May 22, 2023



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

**ORDINANCE NO. 2023-05-02**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST, GEORGIA, CHAPTER 27(ZONING ORDINANCE) ARTICLE 7(ADMINISTRATION) DIVISION 2(GENERAL PROCEDURES); TO IMPLEMENT THE COMMUNITY PLANNING INFORMATION MEETING; TO PROVIDE SEVERABILITY; TO PROVIDE A PENALTY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.**

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

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

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

**WHEREAS**, the Mayor and City Council desire to amend Chapter 27(Zoning Ordinance) Article 7(Administration) Division 2(General Procedures) to implement Community Planning Information Meetings within the city’s zoning procedure process; and

**WHEREAS**, Community Planning Information Meetings will serve as informational meetings for the public to understand all zoning requests within the City of Stonecrest; and

**WHEREAS**, the City desires to hold Community Planning Information Meetings for proposed zoning requests prior to the submission of the proposed zoning request at the City’s Planning Commission meeting and City Council meeting for approval; and

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

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

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

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

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

Section 1. The Code of Ordinances of the City of Stonecrest, Georgia is hereby amended by amending Chapter 27(Zoning Ordinance) Article 7(Administration) Division 2(General Procedures) by adopting the Sec. 7.3.6. - **Community Planning Information Meeting (CPIM).**

**The City will hold an informational meeting for the public called the Community Planning Information Meeting or CPIM. This meeting will serve as an opportunity for the applicant and the City to introduce and explain proposed zoning requests to the community. The goal of the CPIM is to build understanding of the City's zoning process and inform the public of pending zoning requests within the City of Stonecrest.**

1. **The dates and time of the informational meetings shall be adopted by the Mayor and Council on an annual basis and be noted concurrently with the City Council's regularly scheduled meetings dates.**
2. **Site plans scheduled to be on the next Planning Commission's meeting agenda shall be displayed at Community Planning Information Meeting for the public.**
3. **The Planning and Zoning Director and/or his/her designee(s) shall be present to discuss and answer any questions from the community on all proposed zoning requests initiated by the City at the CPIM.**
4. **A party other than the city who initiates a zoning request and/or his/her designee(s) shall be present to discuss and answer any questions from the community on the proposed zoning request at the CPIM.**

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

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by



reference as if fully set out herein.

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

Mayor and Council to be fully valid, enforceable and constitutional.

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

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

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

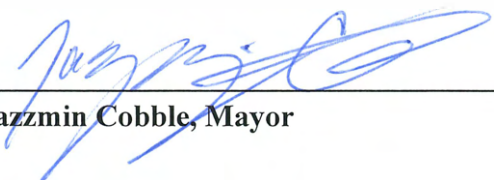
**Section 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

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

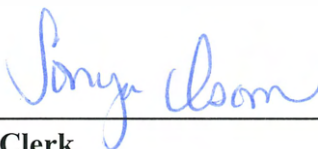
**Section 8.** It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Stonecrest, Georgia.

ORDAINED this 22nd day of May, 2023.

CITY OF STONECREST, GEORGIA

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

ATTEST:

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



APPROVED AS TO FORM:

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

# TMOD22-015

## Sign Ordinance

Approved June 28, 2023



**TMOD-22-015**  
**STONECREST ZONING**  
**ORDINANCE UPDATE**

**Revisions to the Sign Ordinance, Chapter 21**

**Sec. 21-1. - Purpose and findings.**

The city council finds that signs provide an important medium through which persons may convey a variety of noncommercial and commercial messages. However, left completely unregulated, the number, size, design characteristics, and locations of signs in the city can become a threat to public safety as a traffic hazard and a detriment to property values and to the city's general public welfare, as well as create an aesthetic nuisance. The city, further, finds that signs have become excessive and that many signs are distracting and dangerous to motorists and pedestrians, are confusing to the public and substantially detract from the beauty and appearance of the city. The city finds that there is a substantial need directly related to the public health, safety and welfare to comprehensively address these concerns through the adoption of the following regulations. The purpose and intent of the governing authority of the city in enacting the ordinance from which this chapter is derived are as follows:

- (1) To protect the health, safety and general welfare of the citizens of the city, and to implement the policies and objectives of a comprehensive development plan of the city through the enactment of a comprehensive set of regulations governing signs in the city;
- (2) To regulate the erection and placement of signs within the city in order to provide safe operating conditions for pedestrian and vehicular traffic without unnecessary and unsafe distractions to drivers or pedestrians;
- (3) To preserve the value of property on which signs are located and from which signs may be viewed;
- (4) To maintain an aesthetically attractive city in which signs are compatible with the use patterns of established zoning districts;
- (5) To maintain for the city's residents, workers and visitors a safe and aesthetically attractive environment and to advance the aesthetic interest of the city;
- (6) To establish comprehensive sign regulations that effectively balance legitimate business and development needs with a safe and aesthetically attractive environment for residents, workers, and visitors to the city;
- (7) To provide fair and reasonable opportunities for advertisement by the business community located within the city so as to promote the economic vitality of local businesses;
- (8) To ensure the protection of free speech rights under the state constitution and the United States Constitution with the city;
- (9) To establish a permit system to allow specific types of signs in zoning districts consistent with the uses, intent and aesthetic characteristics of those districts;
- (10) To allow certain signs that are small, safe, unobtrusive and incidental to the principal use of



the respective lots on which they are located, subject to the substantive requirements of this chapter but without a requirement for permits;

(11) To provide for temporary signs in limited circumstances;

(12) To place reasonable controls on nonconforming signs that are by definition contrary to the public health, safety and welfare while protecting the constitutional rights of the owners of said nonconforming signs; **and**

(13) To provide for the maintenance of signs, and to provide for the enforcement of the provisions of this chapter; **and**

**(14) To prohibit all signs not expressly authorized by this chapter, to provide for the maintenance of signs, and to provide for the enforcement of the provisions of this chapter.**

Sec. 21-2. - Definitions.

**Parapet Wall means that integral part of a wall that extends above the top of a building.**

**Parapet Wall Sign means a sign attached parallel to but within 12 inches of a parapet wall, painted on a parapet wall, or erected and confined within a parapet wall, which is supported by said parapet wall and which displays only one sign face.**

**Shopping center means three or more primary retail establishments planned, developed and managed as a unit and providing parking facilities in common on the site.**

**~~Sign means a device, structure or representation for visual communication which is used for the purpose of bringing the subject thereof to the attention of others. For the purposes of this chapter, the term "sign" shall include the structure upon which a sign face is located. Flags and banners shall be included within this definition only as provided elsewhere herein. Seasonal holiday decorations shall not be included within the definition of the term "sign" and regulated as such.~~**

**Sign means any device, fixture, placard, display, or structure visible to the general public that uses or is designed to use any color, form, graphic, illumination, symbol, writing, or visual presentation of any kind to advertise, announce, draw attention to, or identify a product, place, activity, person, institution, business, or other entity, or to communicate a message or information of any kind to the public. "Sign" shall include both "sign face" and "sign structure."**

**Sign Face means the portion of a sign on which the copy, message, or other visual image to be communicated is placed or is intended or designed to be placed.**



**Subdivision Entrance Sign** means a sign installed at the entrance of a subdivision approved pursuant to the Land Subdivision Ordinance of the City of Stonecrest.

**Temporary Sign** means a sign mounted on a stake or metal frame that is used for a limited time period and without regard to message. Examples of use of temporary signs include, but are not limited to, campaigns, real estate, and construction in progress.

**Wayfinding Directional sign** means signage used to assist the public in navigating and locating parking, individual tenants, activity centers, ingress/egress points, and other features internal to a mixed-use development and that is not visible from public rights-of-way.

#### **Sec. 21-23. - Permits.**

(a) Except as specifically excluded from the requirements for obtaining a permit, it shall be unlawful for any person to post, display, substantially change, or erect a sign in the city without first having obtained a sign permit or any other permit required by this chapter or other ordinances of the city. Notwithstanding the foregoing, signs which are not visible from a public right-of-way or from neighboring properties shall not be subject to the standards of this chapter.

b) Existing signs which conform to the provisions of this chapter that would be required to obtain a permit under the regulations of this chapter must register with the **director** **Director of Planning and Zoning** within 90 days of the effective date of the ordinance from which this chapter is derived if such signs do not have a valid permit pursuant to a previous ordinance and pay a permit fee. The information provided for registration will be the same information required in a permit application under section 21-24. No permit fee will be required for the registration of existing signs which have a current valid permit under any previous ordinance regulating sign.

#### **Sec. 21-28. - Enforcement and penalties.**

a) The **director** **Director of Code Enforcement** may issue a citation for violation of this chapter by any person, including if applicable, the owner, manager or tenant of the lot upon which a sign is located, for a sign erected, altered, maintained, converted, or used in violation of this chapter or in violation of any other applicable ordinance regulating signage, including, but not limited to, the building and electrical codes.

#### **Sec. 21-61. - Fees.**

The cost of a sign permit shall be established by the city council and collected by the **director** **Director of Planning and Zoning**

#### **Sec. 21-62. - Prohibited signs.**

The following types of signs are prohibited throughout the city:

- (1) Signs placed in the dedicated right-of-way of any public road other than publicly-owned or -maintained signs and signs pertaining to railroad crossings;
- (2) Window signs which exceed 30 percent of the total window area for the entire business;
- (3) Signs that contain words, pictures, or statements which are obscene, as defined by O.C.G.A. § 16-12-80, as amended;
- (4) Signs that simulate an official traffic control device, warning sign, or regulatory sign or which hide from view any traffic control device, signal or public service sign;
- (5) Signs that emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing abilities;
- (6) Signs that interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic or which otherwise pose a hazard to traffic due to structural deficiencies in the structure of such signs;
- (7) Signs erected by nailing, fastening or affixing the sign in any manner to any tree, curb, utility pole, natural feature, or other structure except as may be set forth herein;
- (8) Animated signs;
- (9) Signs that obstruct any fire escape, any means of egress or ventilation or that prevent free passage from one part of a roof to any other part thereof, as well as signs attached to any fire escape;
- (10) Signs that do not conform to city building and electrical codes;
- (11) Signs for which a permit is required that do not display the sign permit number and the name and address of the person responsible for erecting and maintaining the sign;
- (12) Roof signs;
- (13) Multi-faced signs, including:
  - a. Tri-vision signs; and
  - b. LED signs not meeting the standards of section 21-74;
- (14) Signs erected after the effective date of adoption of the ordinance from which this chapter



is derived that are in violation of the rules and regulations of any zoning overlay district presently existing or as may later be enacted;

(15)Balloons, pennant streamers or air or gas filled figures and any sign constructed of non-durable material, including, but not limited to, paper, cardboard or flexible plastic. This provision does not apply to flags, banners, or special event signs;

(16)Portable signs;

(17)Abandoned signs. Signs (including sign structures) shall be deemed abandoned if it does not present a neat and orderly appearance, which may be manifested by the following; rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy and/or if the business, service or commercial transaction to which it relates has been discontinued for six months;

(18)Any sign that is structurally unsound, or is a hazard to traffic or pedestrians;

(19)Illegal signs; **and**

(20)Signs consisting in whole or in part of a series, line, or row of lights, whether supported by cables or other physical means, within 150 feet of a street and visible therefrom. Notwithstanding the foregoing holiday lights and decorations displayed not more than 30 days before a holiday shall be exempted from this section.;

**(21) Human signs; and**

**(22) Billboard signs.**



**Sec. 21-65. - Restrictions in residential zoning districts.**

(1) **(A)** There shall be a maximum of two monument signs per entrance into any residential subdivision or real estate development in a residential district;

~~(2) Ground signs are prohibited, with the exception of monument signs;~~

(3) **(B)** No sign in any residentially zoned district may be illuminated, except for monument signs, subject to the provisions of section 21-76. No monument sign may be internally illuminated;

(4) **(C)** Monument signs shall not exceed 32 square feet of sign area and shall not exceed six feet in height;

(5) **(D)** Reserved; and

~~(6) (E)~~ No electronic signs are allowed in any residential zoning district if that district is designated by city as an historic district. No electronic signs shall be allowed in any other residential zoning district except one electronic sign per property for a place of worship, **private all** elementary, middle, or high school provided such sign meets all other requirements of this chapter.

**(F) Entrance wall signs.****(1) Single-family residential:**

**One maximum 32-square-foot entry wall or monument sign or two single-faced entry wall or monument signs not to exceed 16 square feet for each side of a platted single family subdivision entrance shall be permitted for each street on which the lot has frontage.**

**Subdivisions with more than one identifiable section, as shown on an approved preliminary plat, may be allowed internal identification monument signs of 16 square feet on one side of the entrance to each section.**

**(2) Townhome and multifamily:**

**Monument signs. One maximum 32-square-foot entry wall or monument sign or two single-faced entrance wall or monument signs not to exceed 16 square feet for each side of the development's entrance shall be permitted for each street on which the multi-family property or property occupied with an institutional use has up to and including 500 linear feet of frontage. The sign shall have a maximum height of six feet (see exception), shall not be internally illuminated unless backlit illumination is used. Except for gas stations, changeable copy shall not be permitted. Notwithstanding the foregoing, monument signs on arterial streets may be ten feet in height**

**(G) Multifamily residential uses.**

**(1) Signs for multi-family residential uses zoned MR-1, MR-2, MR-3, HR-1, HR-2, HR-3 provisions per section 21-72 for nonresidential use sign regulations.**

**Sec. 21-69. - Wall or projecting signs.**

(a)

Wall or projecting signs shall be securely fastened to the building surface.

(b)

No wall sign greater than 180 square feet shall be ~~placed below the 12th story of a building~~ **confined to the upper 30 feet of the façade.**

(c)

Projecting signs may project from the building up to two feet, provided that no projecting sign shall be maintained less than ten feet above the ground level when erected over pedestrian walkways or driveways and no less than 14 feet above vehicle access.

(d)

No wall or projecting sign shall extend above the parapet wall.

**(e)**

**Only one wall sign shall be allowed on any side elevation of the building and further provided that no building shall contain more than one such sign per side elevation.**

**(f)**

**Wall signs are subject to the prohibition against roof signs. Walls erected on the roof of a building regardless of whether such wall projects above its top are not parapet walls and no such wall may be used as a building signature sign or to support a building signature sign.**

**Sec. 21-70. - ~~Ground signs~~ Monument Signs**

~~(a) The height of any directional sign shall not be more than three feet above the ground.~~

~~(a) (b)~~ All ground signs allowed for primary facades shall be placed between the primary facade and the street, the primary facade faces.

~~(b) (c)~~ All ground signs allowed for secondary facades shall be placed between the secondary facade and the street, the secondary facade faces.

~~(d) all ground signs in the MU-1-5 zoning districts shall be monument signs.~~



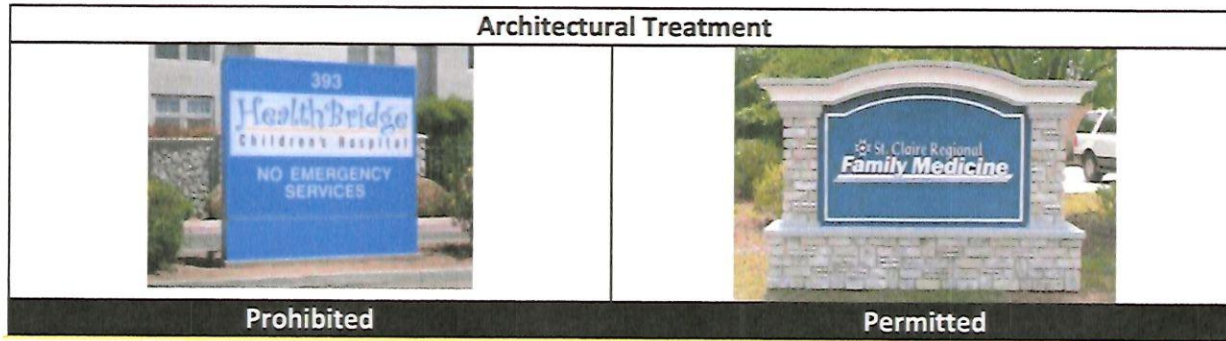


Table 21.72

	Monument Sign	<del>Canopy</del> <del>or</del> Wall Sign	Directional Sign	Window Sign
Max. height	10'	N/A	3'	N/A
Max. width	20'	80 percent of the wall or canopy width	3'	N/A
Max. sq. ft.	80	4 sq. ft. per linear foot of the wall or canopy, up to a maximum of 150 sq. ft. for buildings under 12 stories and up to 500 sq. ft. for buildings 12 stories or more. (See <a href="#">section 21-69(b)</a> )	6	10 percent of the window space
Max. number allowed	One per <del>façade-street frontage</del>	1/ <del>primary</del> façade <del>on buildings less than 8 stories</del> ; 2/ <del>and 1 secondary</del> façade <del>on buildings 8 stories or more</del>	2 authorized curb cut	N/A

Required setback from electrical transmission lines	10'	N/A	0'	N/A
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(b)

In lieu of the sign regulations of Table [21-72\(a\)](#) above, a lot developed as a planned commercial center shall be allowed the following:

TABLE [21-72\(b\)](#)

EXPAND	Monument Sign	Wall Sign	Directional Sign
Max. height	10'; for properties over 40 acres, 12'	N/A	3'
Max. width	20'	80% of the wall or canopy width	3'
Max. sq. ft.	80	4 sq. ft. per linear foot of the wall, up to a maximum of 150 sq. ft. for buildings 3 stories or less and up to a maximum of 300 square feet for buildings between 4 and 7 stories. Buildings 8 stories or more shall be permitted a maximum sign area of 5% of the total wall area not to exceed 800 square feet. (See <a href="#">section 21-69(b)</a> )	6

Max. number allowed	1/street frontage	1/facade buildings less than eight stories; 2/facade on buildings eight stories or more	2/authorized curb cut
Max. projection from structure	N/A	6'	N/A
Required setback from electrical	10'	N/A	0'

	Monument Sign	Wall Sign	Directional Sign
transmission lines			

(c)

No property zoned for nonresidential use may have more than one ground sign that is oriented towards travelers along the same street.

**Sec. 21-82. - ~~Wayfinding signage~~ Directional Signs**

- (a) *Location.* ~~Wayfinding Directional~~ signs shall not be affixed or otherwise attached to trees, traffic signals, benches, street signs, or fencing, and shall be subject to the following regulations:
  - a. Signs must allow for a minimum five-foot-wide clear pedestrian pathway to and from all building entrances and exits.
  - b. Signs for courtyard entries shall be limited to one sign for all businesses located within the courtyard, utilizing the same common entry. Signs shall be located within ten feet of the courtyard entrance.
- (b) *Size.* ~~Wayfinding Directional~~ signs shall be a maximum of 16 square feet in area and ten feet in height.
- (c) *Design.* ~~Wayfinding Directional~~ signs shall have a compatible design, be constructed of durable materials with a substantial base and landscape plantings, and colors that complement the existing allowable signage for the center subject to the approval of the director or his designee.
- (d) *Miscellaneous.*
  - a. Signs shall not be internally illuminated;
  - b. A sign permit is required for the ~~wayfinding directional~~ package for a mixed-use development.



## Sec. 21-84 Temporary Construction Signs

Temporary Signage During Construction: Temporary signage during construction shall be permitted as follows:

- (1) In R-100 through R-5 and RNC zoning districts. Unilluminated signs are permitted in single-family, two-family, and multi-family-housing districts provided they are placed no earlier than the start of construction and removed within 30 days of issuance of a certificate of occupancy. Such signs shall be limited to one sign per dwelling not to exceed six square feet per contractor or subcontractor.
- (2) All other zoning districts: In all other zoning districts, unilluminated signs are permitted provided they are placed no earlier than the start of construction and removed whenever a certificate of occupancy issued. Such signs shall be limited to one sign per job site not to exceed 16 square feet per contractor and six square feet per subcontractor.
  - (a) A temporary construction fence around an active construction site may be decorated with colors, graphics, symbols, writing, or other visual presentations. A temporary construction fence is permitted only if it is placed no earlier than the start of construction and removed whenever a certificate of occupancy is issued.

## Sec. 21-85 Temporary Signs

Temporary Sign Permit Required. The following temporary signs are permitted following issuance of a temporary sign permit.

- (1) Promotional Signs. A temporary sign or attention getting device used to advertise a temporary special event.
  - (a) Air- or gas-filled balloons or other devices that have a capacity for air or gas that does not exceed 3 cubic feet.
  - (b) Flags, signs, pennants, streamers and banners, a maximum size of 32 square feet, except official government flags.
  - (c) Promotional signs can be used for a period not exceeding 10 consecutive days.



- (d) No temporary sign permit for a promotional sign will be issued for the same premises more than 80 days per year.
- (e) No business will be issued a promotional sign for more than one sign or device per street frontage to be located on the premises at any one time. Each individual establishment within a multi-tenant center is considered to have one street frontage.
- (f) No sign can be located within the public right-of-way.

## (2) Yard/Garage Sale Sign.

### A temporary sign used to advertise a yard/garage sale.

- (a) No sign can be located within the public right-of-way.
- (b) Signs must be on private property with the property owner's consent.
- (c) No sign is allowed on a telephone pole, tree or traffic sign.
- (d) The maximum size of a sign is 4 square feet per sign.
- (e) Signs are permitted 2 days prior to sale and must be removed the day after the sale.
- (f) The temporary sign permit must be displayed upon the request of any municipal officer or citizen requesting identification or proof of permission for the yard/garage sale.
- (g) A maximum of 6 signs per yard/garage sale are allowed.
- (h) The temporary sign permit is valid only for family use and may not exceed 3 per year.

## (3) Grand Opening Signs.

### A temporary sign used to advertise a grand opening or final closing sale.

- a. On-premises temporary signs relating to the initial opening or final closing of a business or service are allowed, provided each sign does not exceed 32 square feet each and is not located in the public right-of-way.
- b. The Director of Planning & Zoning can approve signs for a maximum period of 2 weeks for initial opening signs and 4 weeks for final closing signs, after which all signs must be removed.

## (4) Off-Site Real Estate Directional Signs. A temporary sign erected by the owner, or their agent, conveying the route to real property, but not located on the property itself.

- (a) Signs are allowed for a maximum period of 2 consecutive days in any one week.
- (b) A maximum of 3 signs per house/lot are allowed.
- (c) Signs must be located within 2 miles of the property to which they refer, as measured along existing streets.
- (d) No sign can be located within the public right-of-way.
- (e) Signs cannot exceed a maximum area of 4 square feet per sign.
- (f) Not more than 1 sign is allowed at any "T" intersection and no more than 2 signs are allowed at any 4-way intersection.
- (g) Signs cannot have any balloons, streamers, and pennants attached to them.
- (h) Such signs cannot be illuminated.
- (i) Signs can only be placed on property with the owner's express written permission.

## (5) On-Site Real Estate Signs. A temporary sign erected by the owner, or their agent, advertising the real property upon which the sign is located for rent, lease, or for sale.



(a) Single-Family Residential District.

(i) Only one sign is permitted per lot or home for sale.

(ii) The sign cannot be illuminated.

(iii) The sign cannot exceed 6 square feet in area.

(iv) Signs must be removed within 10 days after the lot or building is leased, or sold.

(b) All Other Districts.

(i) Only 1 sign is permitted per parcel for sale or lease, except that corner lots may have 1 sign per frontage, separated by not less than 50 feet.

(ii) Once the building is occupied, no on-site real estate signs are allowed on the ground; they must be located on a panel on an existing monument sign or placed in the window of an empty tenant space.

(iii) The sign cannot be illuminated.

(iv) Each sign cannot exceed 32 square feet in area and 10 feet in height.

(v) Signs must be removed within 10 days after the lot or building is leased, or sold.

(vi) Signs cannot be located within the public right-of-way

(6) Temporary Signs Not Requiring a Permit. The following temporary signs are allowed without the issuance of a temporary sign permit, provided they meet the specified standards below.

(1) Political Signs. A sign identifying or urging voter support for a particular election issue, political party, or candidate for public office. A political sign cannot exceed 32 square feet in area and 8 feet in height. Sign must be removed the day after election.

(2) Civic or Educational Institutions. Temporary signs not exceeding 4 feet in area pertaining to drives or events of civic, philanthropic, educational, religious organizations are allowed, provided signs are posted not more than 2 days before the event and removed the day after the event.



# TMOD22-017

## Hotels & Motels

Approved May 22, 2023

**TMOD-22-017**

**STONECREST ZONING ORDINANCE UPDATE**

**Revision to the Zoning Ordinance, Chapter 27**

**Sec. 9.1.3 Defined Terms**

~~Hotel/motel means an establishment providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and telephone and desk service. Related ancillary uses may include, but shall not be limited to, conference and meeting rooms, restaurants, bars, and recreational facilities.~~

~~Hotel/motel, extended stay, means any building containing six or more guest rooms rented or leased for sleeping purposes for periods less than one month, but in excess of one week, and that contain kitchen facilities for food preparation, including, but not limited to, refrigerators, stoves, and ovens.~~

Hotel means an establishment providing transient lodging accommodations to the general public, and may provide additional services such as restaurants, in- building check-in/check-out services, meeting rooms and recreation facilities. Held out to the public to be a place where temporary lodging of thirty (30) days or less is offered for pay to guests and is not intended for long term occupancy.

Motel means an establishment providing transient lodging accommodations containing six (6) or more rooms with at least twenty five percent (25%) of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building. Held out to the public to be a place where temporary lodging of thirty (30) days or less is offered for pay to guests and is not intended for long term occupancy.

Extended Stays - hotel or motel means an establishment providing transient lodging accommodations, generally marketed to long- term visitors on a temporary basis, which contains kitchen facilities within individual units. Kitchens may include, but are not limited to counters, refrigerators, stoves, and ovens.

Bona fide employee means a person who works in the service of the hotel, motel, or extended stay hotel (i.e. the employer) under a contract of hire, whether express or implied, where the employer has the power or right to control or direct the details of what work is to be performed and the manner in which that work is to be performed.

**Sec. 4.2.26 Extended Stay – motes or hotels**

Extended stay motels/hotels shall meet the following requirements:

- A. Extended-stay motels/hotels shall have no more than 25 guest rooms per acre.

- B. Each guest room must have a minimum of 300 square feet and access with a magnetic keycard entry/locking device.
- C. Extended-stay hotels/motels shall not be more than four stories in height.
- D. Extended-stay hotels/motels must be constructed on a tract of land containing at least two acres.
- E. Extended-stay hotels/motels must contain an enclosed, heated and air conditioned laundry space containing a minimum of three clothes washers and three clothes dryers for the use of guests.
- F. Extended-stay hotels/motels must provide a minimum of 1,000 square feet for recreational use by guests. In computing the 1,000 square feet requirement, swimming pools, fitness or recreation centers and other recreational facilities may be used in determining the square footage required by this subsection.
- G. Management must be on the property 24 hours a day, seven days a week.
- H. Daily maid service must be included in the standard room rate.
- I. Parking areas must have security fencing and lighting with a minimum luminescence of one footcandle at pavement level.
- J. No extended stay motel/hotel may be located within ~~1,000~~ **500** feet of another extended stay motel/hotel.
- K. Change of location or name.
  - 1. No applicant shall operate, conduct, manage, engage in, or carry on an extended-stay motel/hotel under any name other than his name and the name of the business as specified on the occupation tax certificate.
  - 2. Any application for an extension or expansion of a building or other place of business where an extended-stay motel/hotel is located shall require inspection and shall comply with the provisions and regulations of this article.
  - 3. The applicant shall pay an administrative fee to be set by the city council to apply for a change of name for an extended-stay motel.

**Sec. 4.2.64 Hotels and Motels**

**Hotels and motels shall meet the following requirements:**

- A. Hotels are prohibited from providing lodging at an hourly rate.**
- B. No hotel or motel located within the city shall allow any person to occupy such hotel or motel for more than thirty (30) consecutive days, nor more than sixty (60) days during a one hundred eighty-day (180) period. No patron shall begin a new rental agreement with a hotel or motel without at least a two-day vacancy between stays.**



- C. Notwithstanding the provisions of subsection 4.2.27(b), a hotelier may designate no more than three (3) rooms for the purpose of allowing any number of bona-fide employees and their families to reside on the premises. Rooms designated for employee residences must be clearly marked as distinct rooms from those held out for rent to the public and, where practical, must be located adjacent to other rooms designated for employee residences. Rooms designated for employee residences may not be held out for rent to the public.
- D. Notwithstanding the provisions of subsection 4.2.27(b), a stay more than thirty (30) consecutive days or more than sixty (60) days during a one hundred eighty-day (180) period may occur under the following circumstances:
1. Where there is a written contract or documented agreement between a hotel or motel and a business, corporation, firm, or governmental agency to house employees or individuals on valid work orders;
  2. Where there is written documentation, consistent with HIPAA privacy rules, that a hotel or motel guest is considered family or is providing care for a patient who is admitted at a local hospital or is undergoing hospice care; or
  3. Where an insurance company or federal, state, or local agency has provided documentation that a hotel or motel guest has been displaced from their home by a natural disaster or fire.
- E. For any hotel or motel permitted for construction after April 2023, any public-facing entry points to the premises must require a magnetic or electronic keycard/locking device for access. Public-facing entry points shall  
be locked between the hours of 9:00 PM and 6:00 AM and shall be equipped with an alarm or other device that will alert hotel or motel security or other employees that the door has been opened. These requirements are not applicable to entry points that enter directly into the lobby of the hotel or motel as long as the lobby is manned by a bona fide employee twenty-four (24) hours a day. These requirements are also not applicable to entry points that enter directly into a banquet hall, conference room, or other facility utilized for a special event or meeting hosted by a hotel or motel as long as there is a bona fide employee staffing the banquet hall, conference room, or other facility utilized for the duration of that event.
- F. No hotel or motel may be located within 500 feet of another hotel or motel.

**Sec. 3.1.6. Overlay Use Table**

Table 3.1 Overlay Use												
Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	See Section 4.2	
	T1	T2	T3	T4	T5*	T6*	T1	T2	T3			
"Key: P—Permitted use Pa—Permitted as an accessory Use SA—Special administrative permit required SP—Special Land Use Permit (SLUP) required X—Prohibited Use  * Note: Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence"												
<b>RESIDENTIAL</b>												
<b>Housing and Lodging</b>												
Bed and breakfast homes											P	
Bed and breakfast	P	P	SP	P	P							✓
Bed and breakfast, home stay		P	SP									✓
Boarding/Rooming house	P	P	P									
Convents or monasteries	P	P	SP									✓
Dormitory	Pa	Pa	Pa	Pa								
<b>Extended stay hotel/motel</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>			<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>		✓
Fraternity house or sorority house	P	P	P	SP								
<b>Hotel or Motel</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>		<b>P</b>	<b>P</b>	<b>P</b>			
<b>Hotel</b>	<b>P</b>	<b>SP</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>P</b>	<b>P</b>			✓
<b>Motel</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>P</b>	<b>P</b>	<b>P</b>			✓

**TMOD23-001**  
**Truck Parking Gravel Lot**

Approved August 28, 2023



**TMOD-23-001**  
**STONECREST ZONING ORDINANCE UPDATE**

**Revision to the Zoning Ordinance, Chapter 27**

**Article 6. – Parking**

**Sec. 6.1.3. – Parking Regulations, off-street parking spaces.**

B. All parking lots and spaces shall conform to the following requirements:

10. Notwithstanding any other provisions of chapter 27 or chapter 14, parking areas and/or parking on ~~unpaved~~ paved surfaces for **any industrial use for truck parking (commercial truck parking lot) transportation-equipment and storage or maintenance (vehicle), 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 the view of the public street with an opaque corrugated metal fence or wall minimum of ten (10) feet in height. Chain link and wooden fences along street frontage are prohibited.
  - b. The parking area shall be at least 25 feet from the street right-of-way.
  - c. A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least two rows of trees. All trees shall be at least six (6) feet in height and/or two inches in caliber and shall be regularly maintained and watered as necessary. Dead or dying trees shall be promptly replaced. All surfaces between trees shall be mulched.
  - d. ~~The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met~~ Paving regulations must be in compliance with Chapter 14 (Land Development Ordinance);
  - e. Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality; and
  - f. The **commercial truck** parking lot ~~has~~ shall be a minimum of **one-five (5)** acres.
  - g. **All existing parking lots that have an active business license with the gravel parking are legally nonconforming. Any modification to those parking lots requires compliance with the current ordinance.**

11. **Unpaved Paved** parking areas within the M and M-2 zones permitted under subsection B.10. of this section shall comply with the following specifications:
- a. The parking area shall be at least ~~750~~ **150** feet from the boundaries of a residentially zoned parcel;
  - b. ~~The parking area subgrade must meet a minimum compaction of 95 percent as certified by a registered professional engineer~~ Paving regulations must be in compliance with Chapter 14 (Land Development Ordinance);
  - c. ~~The parking area surface shall be composed of at least eight inches 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;~~
  - e. Parking areas shall be inspected by the City of Stonecrest, or a third-party inspector approved by the City of Stonecrest every year to ensure continued compliance with the above specifications. Proof of inspection and compliance with the Stonecrest Code of Ordinances is required at the time of annual business license renewal, and this inspection report must be approved by the Building Department prior to issuance or renewal of a business license. Additional maintenance such as grading, Graded Aggregate Base, or surface treatment may be.

## Article 9. – Definitions/Maps

### Sec. 9.1.3. – Defined Terms.

*Commercial parking lot* means an uncovered or unsheltered structure of one or more stories designed, constructed and used for the parking of motor vehicles for profit.

***Commercial truck parking lot* means an uncovered or unsheltered surface lot designed, constructed and used for the parking of motor trucks with a minimum of 5-axles or more for profit.**

**TMOD23-002**  
**Arabia Mountain**  
**Overlay**

Approved June 28, 2023





TMOD-23-002

Planning & Zoning  
Department

**TMOD-23-002**  
**STONECREST ZONING ORDINANCE UPDATE**

**Revision to the Zoning Ordinance, Chapter 27**

**27-3.4 – DIVISION 4- ARABIA MOUNTAIN CONSERVATION OVERLAY DISTRICT**

**Sec. 3.4.1. - Title.**

The provisions contained within this division are the regulations of the Arabia Mountain Conservation Overlay District.

**Sec. 3.4.2. - Purpose and intent.**

The purpose and intent of the city council in establishing the Arabia Mountain Conservation Overlay District (AMCOD) is as follows:

- A. To provide for the protection of natural resources and of scenic views of areas within the boundaries of the AMCOD, so as to protect and enhance the public welfare associated with these natural resources and the aesthetic qualities within this area, consistent with the policies of the Stonecrest Comprehensive Plan;
- B. To provide reasonable and creative planning and development within the AMCOD while preserving the natural landform and features, trees and tree canopy, and the views to and from Arabia Mountain as indicated on the adopted map;
- C. To assure that all activities and authorized uses of land allowed within the AMCOD, whether allowed uses or permitted uses, are activities or uses which are designed so as not to detract from or damage the protected natural resources and scenic beauty of this district;
- D. To encourage and promote the dedication of conservation easements to appropriate public and not-for-profit entities established and authorized to hold easements in perpetuity pursuant to the Georgia Uniform Conservation Easement Act (O.C.G.A. 44-10 and 12-6A) , for the purposes of protecting historical and arch logical areas, the habitat of endangered or threatened animal and plant species (as defined in the federal Endangered Species Act U.S.C. 1531 and the Endangered Wildlife Act of 1973), providing passive recreational and educational opportunities, preserving the cultural history of the area, protecting open space within the city, and protecting scenic views to and from Arabia Mountain; and
- E. To provide consistent development standards that will adhere to common design characteristics that



TMOD-23-002

Planning & Zoning  
Department

include but are not limited to: deep setbacks from the main road; strategic buffer zones; home “clustering”; shorter streets within a development and shared open spaces connected by trails, walkways and paths.

**Sec. 3.4.3. - District boundaries.**

The boundaries of the AMCOD shall be depicted on the official zoning maps entitled "Official Zoning Map, City of Stonecrest, Georgia, Arabia Mountain Conservation Overlay District"(the “AMCOD overlay maps”). The Official Zoning Map, City of Stonecrest, Georgia, Arabia Mountain Conservation Overlay District, to be adopted contemporaneously with this chapter, together with all explanatory information contained or referenced thereon, is hereby adopted by reference and declared to be a part of this chapter.

The AMCOD overlay maps shall be adopted contemporaneously with this chapter in digital format and contained on a compact disk to be maintained in its original, unedited and unaltered form by the clerk to the city council. A printed copy of the compact disk's contents depicting the AMCOD overlay maps on the date of its initial adoption shall also be maintained in its original, unedited and unaltered form by the clerk to the city council.

**Sec. 3.4.4. - Applicability of regulations.**

This division establishes standards and procedures that apply to the development of any lot or portion thereof which is in whole or in part contained within the boundaries of the AMCOD. The procedures, standards, and criteria shall apply only to that portion of the subject property within the boundaries of the district.

**Sec. 3.4.5. - Principal uses and principal structures.**

A. The principal uses of land and structures which are allowed in the AMCOD are as is provided by the applicable underlying zoning district, except for those listed in B below, subject to the limitations and standards contained within this district. Additional permitted uses are as follows:

1. Recreation, passive and Nature preserve.
2. Dog Parks
3. Bed and Breakfast homes
4. Outdoor Concert halls
5. Urban Gardens

B. Prohibited uses. The following principal uses of land and structures shall be prohibited within the AMCOD:

1. Sexually-oriented businesses
2. Drive-in Theater
3. Fairground or Amusement Park
4. Swimming pools as part of a commercial Recreation, Outdoor use or Recreation club; but not including



TMOD-23-002

Planning & Zoning  
Department

swimming pools incidental to Open space, clubhouse or pool amenity.

5. Coliseum or stadium, except for outdoor Concert Halls
6. Nightclub or late-night establishment
7. Outdoor storage, mini-warehouses, and storage buildings
8. Pawn shops
9. Mortuary or Crematorium
10. Alcohol Outlets
11. Salvage yards and junk yards
12. Motel or Extended Stay Motel
13. Shelter for homeless persons
14. Transitional housing facility
15. Fuel Dealers, Fuel Pumps and Accessory Fuel Pumps
16. Automobile and truck rental and leasing, Automobile brokerage, Automobile mall, Automobile recovery and storage, Automobile rental and leasing, Automobile repair and maintenance, major, Automobile repair and maintenance, minor, Automobile sales, Automobile service station, Automobile upholstery shop, Automobile wash/wax service, Recreational vehicle/boat sales and service, Freight service, Transportation equipment and storage or maintenance (vehicle), and Vehicle storage yard
17. Commercial parking garage/structure; Commercial parking lots
18. Convenience store
19. Drive-through facilities
20. Personal service establishments
21. Check cashing facility
22. Heavy equipment storage
23. Truck stops
24. Warehouses
25. Solid waste disposal, Private industry solid waste disposal facility
26. Bus station or terminal
27. Ambulance service facility, Private ambulance service, Dispatch office

**Sec. 3.4.6. - Accessory uses and accessory structures.**

The accessory uses of land and structures which are allowed in the AMCOD are as is provided by the applicable underlying zoning district, subject to the limitations and standards contained within this division.

**Sec. 3.4.7. - Lot coverage.**

Except as provided in Sec. 3.4.9, lot coverage within the AMCOD shall not exceed twenty-five (25) percent of net lot area.





TMOD-23-002

Planning & Zoning Department

**Sec. 3.4.8. - Clearing and grading of lots.**

No **individual** lot shall be cleared and graded to an extent exceeding thirty-five (35) percent of the net lot area. Said limitation is intended to permit twenty-five (25) percent lot coverage as allowed in section 3.4.7 above, and to permit appropriate slopes from the remaining natural land contours to the finished site grades.

**Sec. 3.4.9- Development Standards**

There shall be no impervious surfaces within the seventy-five (75) foot stream buffer. All dwelling units shall be provided convenient access to all green space throughout the development via pedestrian paths or trails.



**A. Conservation Communities (residential /subdivisions)**

Maximum density: Eight (8) dwelling units to the acre of total land area excluding undevelopable areas listed below:

1. Streams and stream buffers
2. Wetlands
3. Rock outcroppings
4. Slopes steeper than 1:2 slope
5. Sites of archaeological significance
6. Floodplains
7. Areas intended to be dedication for right of way.

*Minimum lot width:* **Seventy (70)** feet as measured from the front building setback line; except for a lot on a cul-de-sac, which shall have a measurement of **thirty-five (35)** feet

*Minimum lot area:* **Seven thousand five hundred (7,500)** square feet, except that each lot on the periphery of the **entire** development (**all sides**) is at least **ten thousand (10,000)** square feet.

*Minimum side-yard setback:* **ten (10) feet**

Maximum single-family dwelling lot coverage: 50%

*Greenspace:* **Thirty (30)** percent of the total land area must be designated greenspace. Sixty (65) percent of the



TMOD-23-002

Planning & Zoning  
Department

greenspace should be in a contiguous tract.

Green space may consist of:

1. Natural undisturbed areas
2. Passive recreational areas
3. Trails and Green ways
4. Bikeways and paths
5. Mature wooded areas

Greenspaces shall be preserved and maintained by one of the following:

1. Establishment of a mandatory homeowner’s association (HOA) to own and maintain the common green space.
2. Dedication of legally described and platted “greenspace” to a land trust.

Minimum building setback adjacent to public or private street(s):

- From thoroughfares, arterials and collectors: 30 ft.
- Local streets: 20 ft.

**Preliminary Plat Approval**

**If the applicant chose to use Cluster Development as shown in this section, applicant shall submit the following:**

- **A preliminary plat for the traditional lot-layout using the underlying zoning shall be submitted.**
- **A preliminary plat showing the cluster lot-layout using the overlay standards shall be submitted.**
- **The number of lots shall be the same for both traditional lot-layout and cluster lot-layout.**

B. *Road Specifications.* All roads shall be built in accordance with Chapter 14. In the event of a conflict, the provisions of this section shall be controlled. The design of the streets must be designed as noted below with the approval of the City Engineer:

1. Minimal amount of cul-de-sac streets by providing more than one entrance to the to the development and interconnect streets as much as possible.
2. Cul-de-sac streets must minimize the amount of impervious surface by limiting the internal radius to thirty (35) feet and the width of the paved lane to sixteen (16) feet. Use grass and vegetation for the inner circle of turnarounds, rather than paving the whole area. Declare the HOA responsible for the



TMOD-23-002

Planning & Zoning Department

maintenance of the grassy area in the neighborhood bylaws.

- 3. Omit curbs where possible.
- 4. As an alternative to curbs and gutters, allow run off from roofs and pavements to pass immediately through grass swales or infiltration basins. Use plant materials that will absorb rainwater and act as a natural filter to oil and pollution.
- 5. Provide marked, paved paths for non-vehicular traffic with in the development and connecting neighboring residential and commercial areas.

C. *Buffer Requirements.* An exterior boundary buffer is required (per community/subdivision). The land area designated to the exterior buffer may be used as part of the required greenspace. The buffer area shall not be included as part of any platted residential lot within the community/subdivision.

Lots less than 10,000 sq. ft.	25 ft.
Lots between 10,000-15,000 sq. ft.	30 ft.
Lots greater than 15,000 sq. ft.	50 ft.

D. *Trails.* Trails may be constructed within the buffer. The maximum width is eight (8) feet and must be located within the first twenty-five (25) percent of the buffer furthest from the exterior boundary line.

**Sec. 3.4.9.1 – Non- residential zoning district dimensional requirements.**

All non-residential districts shall be developed in accordance with the regulations for the Neighborhood Shopping (NS) District.

**Sec. 3.4.9.1.a Design Standards**

Buildings. New commercial buildings and renovations shall conform to the guidelines noted below.

- 1. *Pedestrian Amenities.* All buildings shall be configured to allow safe, convenient, direct and continuous access for pedestrians to all primary building entrances. Principle building entry shall open directly on to the public right-of-way.
- 2. *“Build-to” line (i.e. “Building façade line”).* The building shall be setback five (5) feet from the buildable areas as indicated within in their approved site plan. Awnings and canopies are not counted in building façade line determination. Permanent structures other than buildings, such as ATMs and similar elements, shall not be located closer to the street than the building façade lines.
- 3. *Building height.* All new buildings shall be no more than two (2) stories, maximum height thirty (35) feet.
- 4. *Façade articulation.* Street-facing building facades shall be horizontally divided by floors using architectural means such as string courses, recesses, reveals or the like. They shall also be vertically





TMOD-23-002

Planning & Zoning  
Department

divided utilizing Major and Minor Articulations to create visual interest and avoid monotony.

- a. Major Articulations shall occur at least every sixty (60) feet of horizontal façade length and may be accomplished through: a change of façade materials extending from grade through the cornice; change in storefront systems; physical off-sets; and/or similar means intended to convey the impression of separate buildings.
  - b. Minor Articulations shall occur approximately every thirty (30) feet of horizontal façade length and may be accomplished by: the use of pilasters; the use of off-sets; or similar means intended to create the appearance of structural bays.
5. *Entrances.* All first story uses adjacent to a sidewalk shall have a primary pedestrian entrance, which faces, is visible from, and is directly accessible from said sidewalk. All first story businesses with more than sixty (60) feet of frontage along sidewalks shall provide one (1) pedestrian entrance for every sixty (60) linear feet of frontage or fraction thereof.
  6. *Parking:* Parking areas should be located to the side or rear of the building. When parking areas are located in front of the building, a buffer of 10 feet of shrubbery or landscape trees is required. All vegetation should be native to the region.  
  
Cross Access: In order to reduce traffic conflicts, cross access drives with adjacent properties must be considered. This may include the interconnection of parking areas or a shared drive between properties.
  7. *Storefront canopies* at least five (5) feet in depth extending over the sidewalk are recommended at all retail frontage for relief from inclement weather and for shade. These should be roofed with glass, metal, or fabric wholly supported by brackets or cables attached to the building façade. Columns to support canopies are not permitted in the public right of way (hereafter called “R.O.W.”). Awnings and canopies shall not include signage on them, except when such signage is located within an apron that is less than twelve inches in height and is subject to all other applicable sign requirements of this document.
  8. *Building Finish Materials.* Each street-facing building facade shall have an exterior finish skin primarily of Lithonia tidal grey granite. Material that may be combined with granite is limited to: wood, exterior brick, cementitious stucco, rustic or cut stone, architectural cast concrete, and glass panels. No more than two additional materials may be used. Concrete masonry units or artificial materials having the appearance of wood, and/or stone are not permitted as a finish material.

Decorative embellishments shall be permanent in nature and shall be of the following materials: copper, brass, bronze, cast concrete, formed exterior plaster, porcelain tile, terracotta, formed metals, glass, wood. No artificial materials having the appearance of wood, and/or stone should be used.



TMOD-23-002

Planning & Zoning Department

Primary building façade materials shall be combined only horizontally, with the heavier appearing one(s) below the lighter appearing (ones). This shall not apply to embellishments, storefronts systems, or windows frames.

*Awnings.* Awnings shall be of canvas and similar fabrics, fixed metal, or similar materials. Internally lit awnings and canopies that emit light through the awning or canopy material are prohibited.

- 9. *Lighting.* Building facades facing a public R.O.W. shall be illuminated for safety and aesthetics. The lighting shall be designed to avoid producing glare in the public R.O.W.. Lighting should be downcast with a zero-degree tilt. Fixtures should not exceed 15 feet in height. Light spillage onto adjacent residential properties shall be minimized by cutoff luminaires.
- 10. *Utility service lines.* Must be provided via underground conduit or pipes. Overhead utility service is not permissible in the Overlay. New construction on existing sites within Overlay must include replacement of all above-ground utility service lines with underground service or otherwise fully concealed utility service to buildings and sites.
- 11. *Building Numbering.* Building numbering shall be located above or beside primary entrances of building. Numbering shall be clearly visible from sidewalks. All numbering shall be 6 inches in height.
- 12. *Dumpsters, Loading Areas and Mechanical Electrical and Plumbing Features* shall be screened so as not to be visible from any public plaza, outdoor dining area, public R.O.W., or residential area. All dumpsters shall be located behind buildings and shall be enclosed by opaque fences or walls made of stone, brick, wood, or stucco; and these enclosures shall have opaque gates made of wood or metal. Chain-link gates are not permitted.

*Rooftop Mechanical* features shall be set at least ten (10) feet from the edges of roofs and screened vertically from view through use of parapet walls or similar features. Additionally, all such features greater than five (5) feet in height shall be set at least twenty (20) feet behind front building façades.

**Sec. 3.4.9.2 - Height limitation.**

- A. Except as provided in section 5.2.5, and in subsection B., no building or structure within the Arabia Mountain Natural Resource Protection Overlay District shall exceed a height of thirty-five (35) feet, all other requirements of this chapter notwithstanding.
- B. If the placement of a telecommunications tower or antenna within this overlay district in excess of thirty-five (35) feet in height is mandated by federal law, said tower or antenna, in addition to meeting all other standards and criteria applicable thereto, shall meet the following design requirements:
  - 1. No portion of any such tower or antenna shall extend a distance of more than ten (10) feet above the



TMOD-23-002

Planning & Zoning  
Department

top of the tree canopy existing on the lot upon which the tower or antenna is placed. If no tree canopy exists on said lot, then no portion of such tower or antenna shall extend a distance of more than ten (10) feet above the top of the tree canopy closest to such tower or antenna.

- 2. All portions of a tower or antenna that extend above the top of the existing mature tree canopy pursuant to subsection B.1., shall consist of an alternative tower structure that is designed and colored in a way that blends said tower or antenna with the closest tree canopy to a degree that renders said tower or antenna indistinguishable from said tree canopy at a distance of two hundred (200) feet measured horizontally from said tower or antenna.

**Sec. 3.4.10. - Tree removal and replacement.**

No trees other than dead, dangerous or diseased trees shall be removed from any lot except within areas of permissible grading as provided in section 3.4.8 above. Removal of trees should be certified by an arborist and/or by city permit.

**No Clear cutting or mass grading is allowed with Arabia Mountain Conservation Overlay District.**

**Sec. 3.4.11. - Protection of steep slopes.**

No lot or portion of a lot having a grade in excess of fifteen (15) percent shall be altered.

**Sec. 3.4.12. - Driveways.**

The director of planning is authorized to approve shared driveways for two (2) or more dwellings within the Arabia Mountain Natural Resource Protection Overlay District in order to minimize lot coverage and tree removal within the district.

**Sec. 3.4.13. - Recording of conservation easements.**

The director of planning shall record, after approval by the city attorney and the city council, conservation easements within the Arabia Mountain Natural Resource Protection Overlay District which are made in favor of City of Stonecrest, Georgia.

**Sec. 3.4.14. - Notation of all conservation easements on official zoning maps.**

The director of planning shall cause to be noted on the official zoning maps any conservation easements granted within the district to any public or private entity authorized to hold such easements.

**Sec. 3.4.15. - Lighting.**

No light standard shall be installed that extends above the height of the tree canopy. No lighting element of any kind shall be placed upon any structure so as to extend above the height of the tree canopy. No light spillage of any





TMOD-23-002

Planning & Zoning  
Department

kind is permitted above said tree canopy except as may be otherwise required by any applicable requirement of federal, state or local law.

**Sec. 3.4.16. - Density bonus.**

The director of planning is authorized to approve an increase of up to twenty-five (25) percent in housing density within the district for any parcel of land having a single-family residential zoning classification. In making the application to the director of planning the applicant shall present a site plan in which required lot coverage limitations are met. The site plan shall further demonstrate that the tree canopy will be preserved and protected. In approving any such plan, the director of planning is authorized to approve gravel or other permeable surface for driveways and parking areas where it is demonstrated that such permeable surface will aid in minimizing damage to the root system of trees and will prevent the impaction of soil under the canopies of trees. It is the intent of these regulations that houses be clustered rather than spread out to protect and preserve the tree canopy which is essential to the maintenance of the character of the district.

**Sec. 3.4.17. - Approval of plats where density bonus permitted.**

The director of planning is authorized to record plats in which a density bonus has been approved pursuant to section 3.4.16 above. The approval of any such plat shall be noted on the official zoning map by the director of planning.

**Sec. 3.4.18. – AMCOD Advisory Committee**

The Mayor and City Council may create an AMCOD advisory committee pursuant to Chapter 2. The AMCOD advisory committee may meet with applicants for variances, rezoning and special land use permit applications prior to the submission of the application to the Planning Commission or Board of Zoning Appeals. The AMCOD advisory committee shall act in an advisory capacity only and may present its recommendations on each application in writing to the Planning Commission or Board of Zoning Appeals, applying the standards or criteria contained in Article 7. The failure of the AMCOD to make a recommendation on an application shall not invalidate any zoning decision or decision on a variance and shall not be a condition precedent to final action on the application.

# TMOD23-003

## Public Storage Facilities

Approved July 31, 2023



**TMOD-23-003**

**STONECREST ZONING ORDINANCE UPDATE**

**Revision to the Zoning Ordinance, Chapter 27**

**Article 3. Overlay District Regulations**

**Division 1. – Overlay Districts.**

**3.1.6. – Overlay Use Table.**

Table 3.1 Overlay Use											
Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	
	T1	T2	T3	T4	T5*	T6*	T1	T2	T3		
<b>Key:</b> P—Permitted use Pa—Permitted as an accessory Use SA— Special administrative permit required SP— Special Land Use Permit (SLUP) required X—Prohibited Use *If blank, check use table for underlying zoning (Sec.4.1.3)*  * Note: Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence"							In Mixed Use Development	In Mixed Use Development	In Mixed Use Development		See Section 4.2
<b>INDUSTRIAL</b>											
Salvage yard (Junkyard)	X	X	X	X	X		X	X	X	X	✓
<b>Self-Storage (mini or multi)</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>				<b>X</b>	<b>✓</b>





**Article 4. Use Regulations**

**Division 1. – Overview of Use Categories and Use Table**

**Sec. 4.1.3. – 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) <b>*Blank = not permitted*</b>											See Section 4.2				
	R E	R L G	R - 1 0 0	R - 8 5	R - 7 5	R - 6 0	R S M	M R- 1	M R- 2	H R- 1, 2, 3	M H P	R N C	O I	O I T	N S	C - 1	C - 2	O D	M	M - 2	M U -1		M U -2	M U -3	M U - 4, 5	
<b>INDUSTRIAL</b>																										
Salvage yard (Junk yard)																				P						✓
Self-Storage, Mini													SP						SP	P	P					✓
Self-Storage, Multi													SP						SP	P	P					✓



**Article 4. Use Regulations**

**Division 2. – Supplemental Use Regulations**

**Sec. 4.2.65. – Self-Storage, Mini**

**Self-storage, mini shall meet the following requirements:**

- A. Maximum of one (1) level/story**
- B. Requires a Special Land Use Permit in OI and OD Zoning District**
- C. The storage facility shall be climate controlled.**
- D. All buildings must have windows or architectural treatments that appear as windows.**
- E. Lot must be a minimum of one (1) acre.**
- F. At least 75 percent of the total on-site storage space shall be contained in individual enclosed stalls containing no more than 500 square feet each and being no more than ten feet high.**
- G. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space is allowed. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment, or other goods; transfer-storage business based on site; residential uses, or any use which creates a nuisance due to noise, odor, dust, light, or electrical interference.**
- H. An on-site manager shall be required and shall be responsible for the operation of the facility in conformance with the conditions of approval.**
- I. Provide a minimum six-foot high, 100 percent opaque solid wooden fence or masonry wall along the entire length (except for approved access crossings) of all property lines. Said fence/wall shall be located outside of any public right-of-way and interior to any required landscape strips or buffers.**
- J. *Lighting.* Exterior lighting for a self-storage facility shall project inward and downward and shall not spillover to adjacent properties.**
- K. *Design.* A combination of the following materials shall be used for self-storage on each building wall: brick, granite, stone, marble, terrazzo, architecturally treated reinforced concrete slabs, either fluted or with exposed aggregate, insulated window wall panels or stainless steel,**



TMOD-23-003

Planning and Zoning Department

**porcelain-treated steel, anodized or other permanently finished aluminum.**

**L. No outside storage shall be allowed.**

**M. No self-storage facility (mini or multi) shall be within 1,000 feet of a school, church, or daycare.**

**N. A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).**





## Article 4. Use Regulations

### Division 2. – Supplemental Use Regulations

#### Sec. 4.2.66. – Self-Storage, Multi

Self-storage, multi shall meet the following requirements:

- A. Minimum of two (2) levels/stories; maximum of four (4) levels/stories.
- B. Requires a Special Land Use Permit in OI and OD Zoning District
- C. The storage facility shall be climate controlled.
- D. All buildings must have windows or architectural treatments that appear as windows.
- E. Lot must be a minimum of one (1) acre.
- F. No activities other than the dead storage or transfer of nonvolatile goods or leasing of storage space are allowed. Prohibited uses include but are not limited to miscellaneous sales; fabrication or repair of vehicles, equipment, or other goods; transfer-storage business based on site; residential uses, or any use which creates a nuisance due to noise, odor, dust, light, or electrical interference.
- G. An on-site manager shall be required and shall be responsible for the operation of the facility in conformance with the conditions of approval.
- H. *Lighting.* Exterior lighting for a self-storage facility shall project inward and downward and shall not spillover to adjacent properties.
- I. *Design.* A combination of the following materials shall be used for self-storage on each building wall: brick, granite, stone, marble, terrazzo, architecturally treated reinforced concrete slabs, either fluted or with



TMOD-23-003

Planning and Zoning Department

**exposed aggregate, insulated window wall panels or stainless steel, porcelain-treated steel, anodized or other permanently finished aluminum.**

**J. No outside storage shall be allowed.**

**K. No self-storage facility (mini or multi) shall be within 1,000 feet of a school, church, or daycare.**

**L. A new or expanded self-storage facility shall be located a minimum of 1,500 feet from the boundary of any other self-storage facility (mini or multi).**



**Sec. 6.1.4. – Off-street Parking Ratios.**

**Table 6.2. Off-street Parking Ratios**

<b>Minimum and Maximum Parking Spaces</b>		
<b>Use</b>	<b>Minimum Parking Spaces Required</b>	<b>Maximum Parking Spaces Allowed</b>
<i><b>Industrial</b></i>		
<b>Heavy and light industrial, manufacturing, and commercial establishments not involving retail sales</b>	<b>One space for each 2,000 square feet of floor area.</b>	<b>One space for each 1,300 square feet of floor area.</b>
<b>Self-Storage (mini or multi)</b>	<b>One space for each 20-storage unit</b>	<b>No maximum</b>
<b>Warehouse, distribution</b>	<b>One space for each 2,500 square feet of floor area.</b>	<b>One space for each 500 square feet of floor area.</b>
<b>Wholesale membership club</b>	<b>One space for each 500 square feet of floor area</b>	<b>One space for each 200 square feet of floor area.</b>
<b>Wholesale trade establishments, distribution establishments, offices in conjunction with showrooms, and similar uses</b>	<b>One space for each 200 square feet of floor area devoted to sales or display, plus one space for each 2,000 square feet of gross storage area.</b>	<b>One space for each 150 square feet of floor area devoted to sales or display, plus one space for each 1,500 square feet of gross storage area.</b>

**Article 9. Definition/Maps**

**Sec. 9.1.3. – Defined terms.**

**Self-Storage (mini or multi) means a building or group of buildings in a controlled- access and secured compound that contains vary sizes of individual, compartmentalized and controlled-access stalls or lockers for the storage of customers’ goods or wares, and shall be climate-controlled. Noting or pertaining to a warehouse or other facility that rents units to people for storing personal possessions**



# TMOD23-004

## Food Truck/Vending

Approved February 26, 2024



**TMOD-23-004**

**STONECREST ORDINANCE UPDATE**

**Revision to the Licenses, Permits and Miscellaneous Business Regulations, Chapter 15**

**Article XIX – ~~Mobile Food Vendors Reserved~~**

**~~Division 1. – Generally~~**

**~~Sec. 15.19.1. – Definitions:~~**

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

~~**Blind person** means a person whose vision, with correcting glasses, is so defective as to prevent the performance of activities for which eyesight is essential. See O.C.G.A. § 49-4-51(b).~~

~~**Disabled veteran** means a resident of the state who may be either a war veteran or veteran of peace-time service as set forth below and such person must obtain a certificate of exemption issued by the state commissioner of veterans' service.~~

~~(1) A war veteran must furnish satisfactory proof that he has a physical disability which is disabling to the extent of ten percent or more; that his service in the armed forces of the United States was terminated under conditions other than dishonorable; and that his service or some part thereof was rendered during a war period, as defined by an act of the Congress of the United States, approved March 20, 1933, entitled "An Act to Maintain the Credit of the United States," and commonly known as Public Law No. 2, 73rd Congress; or that some part of his service was rendered on or after December 7, 1941, and before December 31, 1946; or that some part of his service was rendered on or after June 27, 1950, and before January 31, 1955; or that some part of his service was rendered on or after August 5, 1964, and before May 8, 1975. Proof of such ten percent disability shall be established upon the written certificate of two physicians as to such disability, or by a letter or other written evidence from the United States Department of Veterans Affairs or the Department of Veterans Service stating the degree of disability, or by written evidence from the branch of the armed forces of the United States in which such veteran~~



- ~~served.~~
- ~~(2) A veteran of peace-time service in the United States armed forces must furnish proof that he has a physical disability to the extent of 25 percent or more incurred in the line of duty during the period of such service by a letter or other evidence from the United States Department of Veterans Affairs or the Department of Veterans Service stating the degree of disability or by written evidence from the branch of the armed forces of the United States in which such veteran served and that his service in the armed forces of the United States was terminated under conditions other than dishonorable.~~
  - ~~(3) That disabled veterans and blind persons shall only have to show proof of their disability upon their initial application, as opposed to annually. If the current language of O.C.G.A. § 43-12-2 is amended, then this definition of disabled veteran shall be controlled by O.C.G.A. § 43-12-2, as amended.~~

~~Food truck means any motor vehicle used for vending of prepared food items to the public from designated food truck areas.~~

~~Items permissible for sale means items which may be offered for sale by and are limited to non-alcoholic pre-packaged beverages; pre-packaged food; prepared food; and prepared non-alcoholic beverages. Items permissible for sale shall not include any tobacco products.~~

~~Moral turpitude means the act or behavior of baseness, vileness or the depravity in private and social duties which people owe to their fellow people, or to society in general, contrary to accepted and customary rule of right and duty between person and person; act or behavior that gravely violates moral sentiment or accepted moral standards of community and is a morally suitable quality held to be present in some criminal offenses as distinguished from others.~~

~~Non-alcoholic pre-packaged beverages means beverages sealed in plastic or aluminum single-serving containers excluding all beverages in glass containers, and excluding all alcoholic, including, but not limited to, malt beverages, wine and distilled spirits.~~

~~Operating area means:~~

- ~~(1) The area in which a vendor may operate from a vending cart and which may not exceed 28 square feet of sidewalk including the area of the vending cart, and, when externally located, the operator and trash receptacle; or~~
- ~~(2) The parameters of the food truck.~~

~~Pre-packaged food means single-serving sealed packaged foods, including, but not limited to, candy, popsicles, chips/bagged snacks which do not require any heating or powered refrigeration, and the service of which does not require authorization by the DeKalb County Board of Health.~~

~~Prepared non-alcoholic beverages means beverages prepared on-site and which are not served in glass containers, and excluding all alcoholic beverages, including, but not limited to, malt beverages, wine and distilled spirits.~~

~~Prepared food means food prepared on-site, the sale of which requires authorization by the DeKalb County Board of Health.~~





~~Public property and public space both mean, for the purpose of this article, any property owned by the City of Stonecrest within street rights-of-way, including any roadways and sidewalks, but excluding city-owned parks.~~

~~Vending means vending activity as permitted on privately-owned commercial or industrial property under the jurisdiction of the City of Stonecrest and in specifically designated city-owned parks or property. Vending shall only be permitted in city-owned parks or property where such activity is associated with a special event and/or subject to regulation under a more specific permit.~~

~~Valid vendor permit means a permit issued by the City of Stonecrest for a vendor of a vending cart or food truck. Such permit shall consist of a photo-identification card which contains the vendor's name, photograph, vending type and classification, authorized valid vendor locations and time period for which such permit is valid.~~

~~Vending cart means a vending cart at which prepared food, prepared non-alcoholic beverages, pre-packaged food and non-alcoholic pre-packaged beverages may be offered for sale.~~

~~Vendor means any person who has been issued a valid vendor permit.~~

~~Sec. 15-19-2. — Purpose, intent and applicability.~~

~~A. Vending on public property in the incorporated boundaries of the city, as defined in this article, shall be prohibited. Vending on privately-owned commercial or industrial property without a permit issued pursuant to this article shall be unlawful and a person violating this article shall, upon conviction, be punished as provided by this Code.~~

~~B. It is the intent of council in enacting this article to:~~

- ~~(1) Serve and protect the health, safety and welfare of the general public.~~
- ~~(2) Establish a uniform set of rules and regulations which are fair and equitable.~~
- ~~(3) Provide economic development opportunities for small entrepreneurs in the city.~~
- ~~(4) Provide a variety of goods and services for sale.~~
- ~~(5) Promote stable vendors who will enrich the city's ambiance and be assets to public security.~~



~~Sec. 15-19-3.—Vending business required to remit sales taxes and keep records~~

- ~~(a) Every vendor shall file with Georgia Department of Revenue (GDOR) the appropriate forms and remit monthly sale tax revenues to GDOR. Nothing in this section shall prohibit the revocation of any permit in accordance with the provisions of division 2 of this article.~~
- ~~(b) Prospective vendors, by filing a business license application, agree to produce documents and records which may be considered pertinent to the ascertainment of facts relative to the issuance and maintenance of the permit, including, but not limited to, the following:  
Records of sales and receipts for purchases and expenses from any business in which a vendor has any interest.~~

~~Sec. 15.19.4.—Vending operational rules:~~

- ~~(a) Hours of operation shall be between 7:00 a.m. and 6:00 p.m., or as previously approved by the City Manager or his designee in connection with a special event permit.~~
- ~~(b) Any and all signage must comply with the City of Stonecrest Code of Ordinances, chapter 21.~~
- ~~(c) Vendors may offer items permissible for sale only.~~
- ~~(d) All vendors shall display their valid vending permits, photo identification card, and any required copies of licensing agreements at the valid vendor location.~~
- ~~€ All vendors must maintain an auditable point-of-sale system to track and report on sales revenue and appropriate taxation in accordance with the requirements of section 15-19-3.~~
- ~~(f) Vending operations may not obstruct vehicular traffic flow except for up to 15 minutes to load and unload vending carts and merchandise.~~
- ~~(g) Vending operations, including, but not limited to, the display of merchandise and may not exceed the approved operating area.~~
- ~~(h) Vending carts and/or food trucks shall not be left unattended or stored at any time in the operating area when vending is not taking place or during restricted hours of operation.~~
- ~~(i) Vending carts and/or food trucks should not occupy more than one standard parking space.~~



- ~~(j) Vending carts and/or food trucks shall not operate on vacant or undeveloped lots.~~
- ~~(k) Vending carts and/or food trucks shall be located within 100 yards of the principal structure of the lot upon which it intends to vend.~~
- ~~(l) Vending carts and/or food trucks are allowed to stay at any one place of operation for a maximum of four hours.~~
- ~~(m) Vendors offering prepared food shall obtain the proper authorization and permits from the DeKalb County Board of Health or the comparable department of another municipality.~~
- ~~(n) Vendors offering pre-packed food and prepackaged beverages shall obtain the proper authorization from the Georgia Department of Agriculture.~~

~~Sec. 15-19-5. —Aesthetic standards.~~

~~Vending carts must comply with the following aesthetic standards:~~

- ~~(a) Length of the cart may not exceed seven feet and width may not exceed four feet in height, excluding canopies, umbrellas, or transparent enclosures; may not exceed five feet;~~
- ~~(b) Canopies shall have a minimum clearance of seven feet and a maximum height of nine feet, six inches above the sidewalk;~~
- ~~(c) Canopies may not exceed 48 square feet (eight feet by six feet);~~
- ~~(d) All carts must be mobile, and able to roll on wheels;~~
- ~~(e) The design, materials, and colors are to be of natural wood or metal products and considerate of the immediate surroundings of the proposed location;~~
- ~~(f) Materials must be in working order, and may not include peeling paint, visible defects or areas requiring maintenance;~~
- ~~(g) The wheels located under the cart are preferred; however projecting wheels must have fenders;~~
- ~~(h) Hitches attached to the cart must be removable and detached when in operation; and~~
- ~~(i) If used, propane tanks must be enclosed.~~



TMOD-23-004

~~Sec. 15-19-6—15-19-20. Reserved.~~

~~DIVISION 2.— PERMITS AND LICENSES~~

~~Sec. 15-19-21.— Vendor permit and business license required.~~

~~(a) No vending shall occur without a permit issued pursuant to this article.~~

~~(b) No person shall engage in the business or trade of vending without first obtaining a business license. Disabled veterans and blind persons, as defined by O.C.G.A. § 43-12-1 and section 15.19.1 of this Code, are exempt from payment of business license fees, but must obtain such licenses.~~

~~(c) All valid vendor permits are nontransferable, and must be displayed in clear view, together with the vending permit photo identification card, at the permitted location or designated food truck area at all times when the vendor or assistant vendor is present.~~

~~Sec. 15-19-22.— Application.~~

~~(a) An application shall be required by all persons seeking issuance of a valid vendor permit. Each applicant must apply in person and complete an application form. Application forms may be obtained from and filed with the office of revenue.~~

~~(b) Permit fees and applicable maintenance fees are due and payable in the manner required by the City Manager or his designee if and when the application is approved by the City.~~

~~(c) An application for permit, including the proposed vending areas, must be submitted the City Manager or his designee for approval at least 30 calendar days prior to the proposed vending start date. The City Manager or his designee shall approve, deny, or request addition information from the applicant within 14 business days.~~

~~(d) The application shall, at a minimum, consist of the following data:~~

~~(1) Applicant's name and current address.~~

~~(2) Applicant's previous addresses within the last five years.~~

~~(3) Social Security number.~~

~~(4) Proposed vending locations.~~





TMOD-23-004

- ~~(5) Certification of approval of vending location from the private property owner.~~
- ~~(6) A dimensional site plan drawing for each vending location within the city which clearly shows the footprint and placement of the cart and the operating area.~~
- ~~(7) The times and days/dates during which the vendor estimates they will vend on the proposed property.~~
- ~~(8) GDOR retail identification tax number.~~
- ~~(9) State issued picture identification.~~
- ~~(10) City business license.~~
- ~~(11) A general description of the items permissible for sale to be sold or offered for sale.~~
- ~~(c) All applicants shall furnish all data, information and records requested of them by the City Manager or his designee within ten days from the date of request. Failure to furnish such information within ten days shall automatically dismiss, with prejudice, the application.~~

~~Sec. 15-19-23. Term and renewal of permits.~~

- ~~(a) A valid vendor permit will be issued for a one-year period. When the one-year permit expires, a vendor may apply for a renewal permit which allows the vendor to vend for another one-year period. All valid vendor permits are required to be renewed annually on or before March 1. All annual permit fees and applicable annual maintenance fees are due and payable at the time of renewal.~~
- ~~(b) Vendors may present to the City Manager or his designee an application for a renewal permit. Upon a review and approval of the renewal application, satisfaction of all other license and permit requirements, and upon payment of the appropriate fees as indicated in section 15-19-24, the vendor shall be furnished with a renewal permit.~~
- ~~(c) Each applicant for a renewal application shall submit an application which shall at a minimum consist of the data required for the issuance of an initial permit as set forth in section 15-19-22.~~

~~Sec. 15-19-24. Annual fees.~~

- ~~(a) Annual permit fees and applicable annual maintenance fees are due and payable upon approval of the application.~~
- ~~(b) The annual permit fee for all valid vendor permits shall be \$75.00.~~



~~Sec. 15-19-25. – Location:~~

~~(a) Valid vendor locations shall:~~

- ~~(1) Not be within 15 feet of street intersections or pedestrian crosswalks or 15 feet of building entrances/exits or within 50 feet of hotels/motels;~~
- ~~(2) Not be within 15 feet of a driveway, bus stop, crosswalk, or intersection;~~
- ~~(3) Provide a minimum of five feet of unobstructed pedestrian space;~~
- ~~(4) Not be within 15 feet of a fire hydrant driveway; and~~
- ~~(5) Not be within 600 feet of the closest property line of any public or private elementary, middle or high school.~~

~~Sec. 15-19-26. – Notification of name change or change of address.~~

~~Whenever either the name or address provided by the vendor on the application for a valid vendor permit changes, the vendor shall notify the City Manager or his designee in writing within ten days of such change and provide same with the name change or address change. Vendors shall ensure that a current and correct name, residence address and mailing address are on file with the City Manager or his designee at all times.~~

~~Sec. 15-19-27. – Denials, fines, suspensions and revocations.~~

- ~~(a) No valid vendor permit shall be issued to any person who has been convicted within five years immediately prior to the filing of the application for any felony or misdemeanor relating to drug possession and related matter; crimes of moral turpitude; larceny, fraudulent conveyance, perjury and/or false swearing, or subrogation. Any conviction for dealing and/or trafficking in illegal drugs will automatically disqualify an applicant.~~
- ~~(b) Failure to maintain initial qualifications shall be grounds for revocation or denial of a renewal permit.~~
- ~~(c) A denial, fine, suspension, revocation of any permit issued pursuant to this article may be imposed for any of the following causes:
  - ~~(1) Fraud, misrepresentation or false statements contained in the application.~~
  - ~~(2) Failure on the part of a vendor to maintain initial eligibility qualifications.~~~~



~~(3) Failure to furnish any and all documentation requested by either the police department, the office of revenue or the license review board for the purposes of the investigation of any application or for the inspection of records pursuant to this division within 30 days of such request.~~

~~(4) Any failure to comply with any requirement set forth in this article or this Code.~~

~~(d) Any person whose permit is revoked may not reapply until one year following the effective date of the revocation.~~

~~(e) In addition to carrying out all other investigations as may be permitted under this article, the license and permits unit shall investigate any alleged violation of this article upon receipt of a written, sworn complaint by any person who witnesses or becomes aware of a potential violation. Such complaint shall be signed under penalty of perjury, and shall be accompanied by any supporting evidence.~~

~~Sec. 15-19-28. – Appeal on suspension, fine, revocation or denial.~~

~~A person to whom the city refuses to issue a vendor's permit or whose vendor's permit is suspended or revoked may file an appeal therefrom in accordance with article XVI of this chapter.~~

~~Sec. 15-19-29. – Vendors selling ice cream or other pre-packaged food and/or non-alcoholic pre-packaged beverages out of motor vehicles.~~

~~(a) Vendors selling ice cream or other pre-packaged food and/or non-alcoholic pre-packaged beverages out of motor vehicles shall be subject to this section. Vendors permitted in accordance with this section shall not be permitted to sell prepared food or prepared non-alcoholic beverages.~~

~~(b) Every vendor selling ice cream or other pre-packaged food and/or non-alcoholic pre-packaged beverages out of motor vehicles pursuant to this section shall, before making any sale, park the vehicle at the right curb and at least eight feet from any other vehicle that may be parked on the street and not less than 100 feet from any intersecting street. When the vending vehicle stops, all sound equipment or other devices used to notify customers of the presence of the vendor shall be stopped and shall not be resumed until the vehicle is again put in motion.~~

~~(c) No vehicle using sound equipment or other method of attracting customers shall operate such equipment between the hours of 9:00 p.m. and 9:00 a.m. daily. On days in which schools are actually in session, no motor vehicle shall be operated within 600 feet of any public school in the city one hour before or one hour after published school hours.~~

~~(d) Vendors selling ice cream or other pre-packaged food and/or non-alcoholic pre-packaged beverages out of motor vehicles pursuant to this section, shall not stop or stand and do business for more than 30 minutes.~~

~~(e) Vendors selling ice cream or other pre-packaged food and/or non-alcoholic pre-packaged beverages out of motor vehicles pursuant to this section shall not be~~



TMOD-23-004

~~restricted to an operational area or location specifically described in section 15-19-25.~~

Planning and Zoning Department





## **Revision to the Zoning Ordinance, Chapter 27**

### **Article 2. District Regulations**

#### **Division 3. – RE (Residential Estate) District**

##### **Sec. 2.3.2. – Permitted and special land uses.**

#### **B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

##### **3. Commercial.**

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



**Division 4. – RLG (Residential Large Lot) District**

**Sec. 2.4.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

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

**Division 5. – R-100 (Residential Medium Lot-100) District**

**Sec. 2.5.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.
- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**
- c. Temporary outdoor retail sales; see section 4.2.
- d. Temporary outdoor sales or events, seasonal; see section 4.2.
- e. Temporary produce stand; see section 4.2.



- f. Temporary trailer, as home sales office or construction trailer; see section 4.2.**



**Division 6. – R-85 (Residential Medium Lot-85) District**

**Sec. 2.6.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

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

**Division 7. – R-75 (Residential Medium Lot-75) District**

**Sec. 2.7.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.
- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**
- c. Temporary outdoor retail sales; see section 4.2.
- d. Temporary outdoor sales or events, seasonal; see section 4.2.
- e. Temporary produce stand; see section 4.2.





- f. Temporary trailer, as home sales office or construction trailer; see section 4.2.**



**Division 8. – R-60 (Residential Small Lot-60) District**  
**Sec. 2.8.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

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

**Division 12. – RSM (Small Lot Residential Mix) District**  
**Sec. 2.12.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

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



**Division 13. – MR-1 (Medium Density Residential-1) District**

**Sec. 2.13.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

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

**Division 14. – MR-2 (Medium Density Residential-2) District**

**Sec. 2.14.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.
- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**
- c. Temporary outdoor retail sales; see section 4.2.
- d. Temporary outdoor sales or events, seasonal; see section 4.2.



TMOD-23-004

- e. Temporary produce stand; see section 4.2.**
- f. Temporary trailer, as home sales office or construction trailer; see section 4.2.**





**Division 15. – HR-1 (High Density Residential-1) District**

**Sec. 2.15.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

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

**Division 16. – HR-2 (High Density Residential-2) District**

**Sec. 2.16.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.
- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**
- c. Temporary outdoor retail sales; see section 4.2.
- d. Temporary outdoor sales or events, seasonal; see section 4.2.



TMOD-23-004

- e. Temporary produce stand; see section 4.2.**
- f. Temporary trailer, as home sales office or construction trailer; see section 4.2.**
- g. Temporary produce stand; see section 4.2.**
- h. Temporary trailer, as home sales office or construction trailer; see section 4.2.**



**Division 17. – HR-3 (High Density Residential-3) District**

**Sec. 2.17.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

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

**Division 26. – C-1 (Local Commercial) District**

**Sec. 2.26.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.
- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**
- c. Temporary outdoor retail sales; see section 4.2.
- d. Temporary outdoor sales; seasonal; see section 4.2.
- e. Temporary outdoor sales or events, seasonal; see section 4.2.



TMOD-23-004

Planning and Zoning Department

- f. Temporary produce stand; see section 4.2.**
- g. Temporary trailer, as home sales office or construction trailer; see section 4.2.**

**Division 27. – C-2 (General Commercial) District**

**Sec. 2.27.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.**
- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**
- c. Temporary outdoor retail sales; see section 4.2.**
- d. Temporary outdoor sales; seasonal; see section 4.2.**
- e. Temporary outdoor sales or events, seasonal; see section 4.2.**
- f. Temporary produce stand; see section 4.2.**
- g. Temporary trailer, as home sales office or construction trailer; see section 4.2.**

**Division 28. – OD (Office - Distribution) District**

**Sec. 2.28.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.**





- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**
- c. Temporary outdoor retail sales; see section 4.2.**
- d. Temporary outdoor sales; seasonal; see section 4.2.**
- e. Temporary outdoor sales or events, seasonal; see section 4.2.**
- f. Temporary produce stand; see section 4.2.**
- g. Temporary trailer, as home sales office or construction trailer; see section 4.2.**



**Division 29. – OI (Office - Institutional) District**

**Sec. 2.29.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.
- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**
- c. Temporary outdoor retail sales; see section 4.2.
- d. Temporary outdoor sales; seasonal; see section 4.2.
- e. Temporary outdoor sales or events, seasonal; see section 4.2.
- f. Temporary produce stand; see section 4.2.
- g. Temporary trailer, as home sales office or construction trailer; see section 4.2.

**Division 31. – M (Light Industrial) District**

**Sec. 2.31.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.
- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**



TMOD-23-004

Planning and Zoning Department

- c. Temporary outdoor retail sales; see section 4.2.**
- d. Temporary outdoor sales; seasonal; see section 4.2.**
- e. Temporary outdoor sales or events, seasonal; see section 4.2.**
- f. Temporary produce stand; see section 4.2.**
- g. Temporary trailer, as home sales office or construction trailer; see section 4.2.**

**Division 32. – M-2 (Heavy Industrial) District**

**Sec. 2.32.2. – Permitted and special land uses.**

**B. Special Administrative Uses. The following uses are permitted only with administrative approval:**

**3. Commercial.**

- a. Farmer's market, temporary/seasonal; see section 4.2.**
- b. Food Trucks, Mobile Vending/ Food Carts; see section 4.2.**
- c. Temporary outdoor retail sales; see section 4.2.**
- d. Temporary outdoor sales; seasonal; see section 4.2.**
- e. Temporary outdoor sales or events, seasonal; see section 4.2.**
- f. Temporary produce stand; see section 4.2.**
- g. Temporary trailer, as home sales office or construction trailer; see section 4.2.**



**Article 3. Overlay District Regulations**

**Division 1. – Overlay Districts.**

**Sec. 3.1.6. – Overlay Use Table.**

<b>Table 3.1 Overlay Use</b>											
<b>Land Use</b>	<b>Stonecrest Area Overlay</b>						<b>Interstate 20 Corridor Overlay*</b>			<b>Arabia Mountain Conservation Overlay*</b>	<b>See Section 4.2</b>
	<b>T1</b>	<b>T2</b>	<b>T3</b>	<b>T4</b>	<b>T5*</b>	<b>T6*</b>	<b>T1</b>	<b>T2</b>	<b>T3</b>		
<p>"Key: P—Permitted use Pa— Permitted as an accessory Use SA—Special administrative permit required SP— Special Land Use Permit (SLUP) required X— Prohibited Use</p> <p><b>*If blank, check use table for underlying zoning (Sec.4.1.3)*</b></p> <p><b>* Note: Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence"</b></p>							<b>In Mixed Use Development</b>	<b>In Mixed Use Development</b>	<b>In Mixed Use Development</b>		
<b>COMMERCIAL</b>											
<b>Restaurant/Food Establishments</b>											
<b>Brewpub/Beer growler</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>							
<b>Catering establishments</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>							
<b>Food Trucks, Mobile Vending/ Food Carts</b>											<b>✓</b>





**Article 4. – Use Regulations**

**Division 1. – Overview of Use Categories and Use Table**

**Sec. 4.1.3. – Use Table.**

	KEY: P - Permitted use Pa - Permitted as an accessory use										SA - Special administrative permit from Community Development Director SP - Special land use permit (SLUP)															
Use	R E	RL G	R- 10 0	R - 8 5	R - 7 5	R - 6 0	RS M	M R- 1	M R- 2	H R- 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	
<b>COMMERCIAL</b>																										
<b>Recreation and Entertainment</b>																										
<b>Food Trucks, Mobile Vending/ Food Carts</b>	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA			SA			SA	SA	SA	SA	SA						✓



**Division 2. – Supplemental Use Regulations**

**Sec. 4.2.67. – Food Trucks, Mobile Vending/Food Cart.**

**All Food Trucks shall comply with the following:**

**A. Permit.**

- 1. All Food Trucks, Mobile Vending/Food Carts require a Special Administrative Permit, in accordance with Sec. 7.6.1. of this chapter, to operate within the city.**
- 2. No person shall engage in the business or trade of vending without first obtaining a business license. Disabled veterans and blind persons, as defined by O.C.G.A. § 43-12-1 and section 15.19.1 of this Code, are exempt from payment of business license fees, but must obtain such licenses.**
- 3. All valid vendor permits are nontransferable.**
- 4. Any condition of zoning or provision of the Stonecrest and Dekalb County’s zoning ordinance that prohibits a food truck use on a property shall supersede this section.**
- 5. Food Trucks, Mobile Vending/Food Carts shall maintain and display plainly all unexpired city, county, and state licenses. Vendors shall follow all laws of the state and county health departments, or any other applicable laws.**
- 6. Food Trucks, Mobile Vending/Food Carts offering pre-packed food and prepackaged beverages shall obtain the proper authorization from the Georgia Department of Agriculture.**
- 7. Food Trucks, Mobile Vending/Food Carts selling ice cream or other pre-packaged food and/or non-alcoholic pre-packaged beverages out of motor vehicles shall be subject to this section.**
- 8. Food Trucks, Mobile Vending/Food Carts may offer items permissible for sale only.**
- 9. All vendors must maintain an auditable point-of-sale system to track and report on sales revenue and appropriate taxation.**

**B. Permitted locations.**

- 1. Allowable districts: All residential, OD, OI, C-1, C-2, M, M-2, and accessory to institutional uses, such as a place of worship or a school, or for the benefit of community interest; determined by Planning and Zoning Director.**



**2. Food Trucks, Mobile Vending/Food Carts shall be required to park on paved surfaces.**

**C. Restricted locations.**

- 1. All Food Trucks, Mobile Vending/Food Carts shall be located a minimum of 200 feet from any eating establishment and 100 feet from any retail store that sell food unless both the property owner(s) (as they appear on the current tax records of Dekalb County as retrieved by the County's Geographic Information System (GIS) or if the current ownership has recently changed and does not match the GIS record the applicant may provide a copy of the new deed as proof of ownership) and lease holder(s) of said eating establishment/retail store grant written notarized permission for the Food Trucks, Mobile Vending/Food Cart to be located closer than this minimum setback.**
- 2. Food Trucks, Mobile Vending/Food Carts' vendors shall not be located within 25 feet of any right-of-way, entryway, curb-cut or driveway.**
- 3. Sales near Schools. No person shall dispense any item, at any time, including food, from an ice cream truck parked or stopped within 500 feet of the property line of a school between 7:30 a.m. and 4:00 p.m. on regular school days; unless granted with written notarized permission from current school's Principal.**

**D. Hours of operation.**

- 1. The hours of operation shall be between the hours of 7:00 a.m. to 8:00 p.m., Sunday through Thursday and between the hours of 7:00 a.m. to 10:00 p.m., Friday through Saturday.**
- 2. Food Trucks, Mobile Vending/Food Carts shall not operate on any private property without the prior consent of the property owner(s). The applicant shall provide a notarized written permission statement of the property owner(s) as they appear on the current tax records of Dekalb County as retrieved by the County's Geographic Information System (GIS). If the current ownership has recently changed and does not match the GIS record the applicant may provide a copy of the new deed as proof of ownership. A 24-hour contact number of the property owner(s) shall be provided along with permit application.**
- 3. Food Trucks, Mobile Vending/Food Carts shall not be left unattended or stored at any time in the operating area when vending is not taking place or during restricted hours of operation.**

**E. Sales Taxes and Records Keeping.**



1. **Every vendor shall file with Georgia Department of Revenue (GDOR) the appropriate forms and remit monthly sale tax revenues to GDOR.**
2. **Prospective vendors, by filing a business license application, agree to produce documents and records which may be considered pertinent to the ascertainment of facts relative to the issuance and maintenance of the permit, including, but not limited to:**
  - a. **Records of sales and receipts for purchases and expenses from any business in which a vender has any interest.**

**F. Parking.**

1. **Food Trucks, Mobile Vending/Food Carts should not occupy more than two standard parking spaces.**
2. **No Food Truck, Mobile Vending/Food Cart shall be housed or stored within a residential zoning district.**

**G. Signage.**

1. **Any and all signage must comply with the City of Stonecrest Code of Ordinances, chapter 21.**

**H. Lighting/Noise.**

1. **Food Trucks, Mobile Vending/Food Carts shall not emit sounds, outcry, speaker, amplifier, or announcements, except for Ice Cream Food Truck.**
  - a. **When the vending vehicle stops, all sound equipment or other devices used to notify customers of the presence of the vendor shall be stopped and shall not be resumed until the vehicle is again put in motion.**

**I. Waste Disposal.**

1. **Food Trucks, Mobile Vending/Food Carts are responsible for the proper disposal of waste and trash associated with the operation. Food Trucks, Mobile Vending/Food Carts shall remove all generated waste and trash from their approved location at the end of each day or as needed to maintain the public health and safety. No liquid waste or grease is to be disposed of in tree pits, storm drains, sanitary sewers, onto the sidewalks, streets or other public or private space. A written waste management plan indicating plans for waste handling, sanitation, litter collection/prevention, recycling, and daily cleanup procedures shall be submitted with the Special Administrative Permit application.**

**J. Denials, fines suspension and revocations.**

1. **No valid permit shall be issued to any person who has been convicted within five (5) years immediately prior to the filing of the application for any felony or misdemeanor relating to drug possession and related matter, crimes of moral turpitude; larceny, fraudulent conveyance, perjury and/or false**





**swearing, or subrogation. Any conviction for dealing and/or trafficking in illegal drugs will automatically disqualify an applicant.**

- 2. Failure to maintain initial qualifications shall be grounds for revocation or denial of a renewal permit.**
- 3. A denial, fine, suspension, revocation of any permit issued pursuant to this article may be imposed for any of the following causes:**
  - a. Fraud, misrepresentation or false statements contained in the application.**
  - b. Failure on the part of a vendor to maintain initial eligibility qualifications.**
  - c. Failure to furnish any and all documentation requested by either the police department, the office of revenue or the license review board for the purposes of the investigation of any application or for the inspection of records pursuant to this division within 30 days of such request.**
  - d. Any failure to comply with any requirement set forth in this article or this Code.**



**Article 9. – Definitions/Maps**

**Sec. 9.1.3. – Defined terms.**

***Blind person* means a person whose vision, with correcting glasses, is so defective as to prevent the performance of activities for which eyesight is essential. See O.C.G.A. § 49-4-51(b).**

***Disabled veteran* means a resident of the state who may be either a war veteran or veteran of peace-time service as set forth below and such person must obtain a certificate of exemption issued by the state commissioner of veterans' service.**

- (1) A war veteran must furnish satisfactory proof that he has a physical disability which is disabling to the extent of ten percent or more; that his service in the armed forces of the United States was terminated under conditions other than dishonorable; and that his service or some part thereof was rendered during a war period, as defined by an act of the Congress of the United States, approved March 20, 1933, entitled "An Act to Maintain the Credit of the United States," and commonly known as Public Law No. 2, 73rd Congress; or that some part of his service was rendered on or after December 7, 1941, and before December 31, 1946; or that some part of his service was rendered on or after June 27, 1950, and before January 31, 1955; or that some part of his service was rendered on or after August 5, 1964, and before May 8, 1975. Proof of such ten percent disability shall be established upon the written certificate of two physicians as to such disability, or by a letter or other written evidence from the United States Department of Veterans Affairs or the Department of Veterans Service stating the degree of disability, or by written evidence from the branch of the armed forces of the United States in which such veteran served.**
- (2) A veteran of peace-time service in the United States armed forces must furnish proof that he has a physical disability to the extent of 25 percent or more incurred in the line of duty during the period of such service by a letter or other evidence from the United States Department of Veterans Affairs or the Department of Veterans Service stating the degree of disability or by written evidence from the branch of the armed forces of the United States in which such veteran served and that his service in the armed forces of the United States was terminated under conditions other than dishonorable.**
- (3) That disabled veterans and blind persons shall only have to show proof of their disability upon their initial application, as opposed to annually. If the current language of O.C.G.A. § 43-12-2 is amended, then this definition of disabled veteran shall be controlled by O.C.G.A. § 43-12-2, as amended.**

***Food truck* means a business based in a motor vehicle or trailer with a mobile or full-service kitchen which temporarily establishes itself on an existing property to sell prepared, prepackaged or cooked food on-site and which meets all state and local regulations regarding food service and preparation.**



***Items permissible for sale*** means items which may be offered for sale by and are limited to non-alcoholic pre-packaged beverages; pre-packaged food; prepared food; and prepared non-alcoholic beverages. Items permissible for sale shall not include any tobacco products.

***Moral turpitude*** means the act or behavior of baseness, vileness or the depravity in private and social duties which people owe to their fellow people, or to society in general, contrary to accepted and customary rule of right and duty between person and person; act or behavior that gravely violates moral sentiment or accepted moral standards of community and is a morally suitable quality held to be present in some criminal offenses as distinguished from others.

***Pre-packaged food*** means single serving sealed packaged foods, including, but not limited to, candy, popsicles, chips/bagged snacks which do not require any heating or powered refrigeration, and the service of which does not require authorization by the DeKalb County Board of Health.

***Prepared non-alcoholic beverages*** means beverages prepared on-site and which are not served in glass containers, and excluding all alcoholic beverages, including, but not limited to, malt beverages, wine and distilled spirits.

***Prepared food*** means food prepared on-site, the sale of which requires authorization by the DeKalb County Board of Health.

***Vending*** means vending activity as permitted on privately-owned commercial, industrial, and residential property under the jurisdiction of the City of Stonecrest and in specifically designated city-owned parks or property. Vending shall only be permitted in city-owned parks or property where such activity is associated with a special event and/or subject to regulation under a more specific permit.

***Vending/Food cart*** means a pushcart which is designed to be readily movable from which food items are dispensed.

***Vendor*** means any person who has been issued a valid vendor permit.



**Appendix A - SCHEDULE OF FEES**

## Stonecrest Planning and Zoning Fee Schedule

Special Administrative Permit	<b>Food Truck Permit</b>	<b>\$150</b>
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**TMOD23-007**  
**Micro Home**  
**Community (MHC)**

Approved February 26, 2024



# **TMOD 23-007 Micro Home Community (MHC) STONECREST ZONING ORDINANCE UPDATE**

## **Revision to the Zoning Ordinance, Chapter 27**

### **ARTICLE 2. – DISTRICT REGULATIONS**

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

##### **Sec. 2.15.2. – Permitted and special land uses.**

###### **A. Permitted Uses. The following uses are permitted as of right under this Code:**

###### **2. Residential.**

- a. Boarding/rooming house.**
- b. Dwelling, apartment.**
- c. Dwelling, cottage home; see section 4.2.**
- d. Dwelling, multifamily.**
- e. Dwelling, single-family (attached).**
- f. Dwelling, single-family (detached).**
- g. Dwelling; three family.**
- h. Dwelling, townhouse; see section 4.2.**
- i. Dwelling, two-family.**

- j. Dwelling, urban single-family; see section 4.2.**
- k. Fraternity house or sorority house.**
- l. Live/work unit; see section 4.2.**
- m. Micro Home Community**

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

**Sec. 2.16.2. – Permitted and special land uses.**

**A. Permitted Uses. The following uses are permitted as of right under this Code:**

**2. Residential.**

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

**m. Micro Home Community**

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

**Sec. 2.17.2. – Permitted and special land uses.**

**A. Permitted Uses. The following uses are permitted as of right under this Code:**

**A. Residential.**

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

**m. Micro Home Community**

**ARTICLE 3. – OVERLAY DISTRICT REGULATIONS**

**DIVISION 1. – OVERLAY DISTRICTS**

**Sec. 3.1.6. Overlay use table.**

Table 3.1 Overlay Use											
Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay*			Arabia Mountain Conservation Overlay*	
	T1	T2	T3	T4	T5*	T6*	T1	T2	T3		
"Key: P–Permitted use Pa–Permitted as an accessory Use SA–Special administrative permit required SP–Special Land Use Permit (SLUP) required X–Prohibited Use  <b>*If Blank, check underlying zoning use table (4.1.3) *</b>  * Note: Uses permitted in Tiers 5 and 6 of the Stonecrest Area Overlay and the Arabia Mountain Conservation Overlay are determined by the underlying zoning district, though the Overlay takes precedence"							In Mixed Use Development	In Mixed Use Development	In Mixed Use Development		See Section 4.2
<b>RESIDENTIAL</b>											
<b>Dwellings</b>											
<b>Micro Home Community (MHC)</b>	<b>X</b>					<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>✓</b>

## **DIVISION 4. – ARABIA MOUNTAIN CONSERVATION OVERLAY DISTRICT**

### **Sec. 3.4.5. – Principal uses and principal structures.**

**B. Prohibited uses. The following principal uses of land and structures shall be prohibited within the AMCOD:**

- 1. Sexually-oriented businesses.**
- 2. Drive-in Theater.**
- 3. Fairground or Amusement Park.**
- 4. Swimming pools as part of a commercial Recreation, Outdoor use or Recreation club; but not including swimming pools incidental to Open space, clubhouse or pool amenity.**
- 5. Coliseum or stadium, except for outdoor Concert Halls.**
- 6. Nightclub or late night establishment.**
- 7. Outdoor storage, mini-warehouses, and storage buildings.**
- 8. Pawn shops.**
- 9. Mortuary or Crematorium.**
- 10. Alcohol Outlets.**
- 11. Salvage yards and junk yards.**
- 12. Motel or Extended Stay Motel.**
- 13. Shelter for homeless persons.**
- 14. Transitional housing facility.**
- 15. Fuel Dealers, Fuel Pumps and Accessory Fuel Pumps.**



16. **Automobile and truck rental and leasing, Automobile brokerage, Automobile mall, Automobile recovery and storage, Automobile rental and leasing, Automobile repair and maintenance, major, Automobile repair and maintenance, minor, Automobile sales, Automobile service station, Automobile upholstery shop, Automobile wash/wax service, Recreational vehicle, boat and trailer sales and service, Freight service, Transportation equipment and storage or maintenance (vehicle), and Vehicle storage yard.**
17. **Commercial parking garage/structure; Commercial parking lots.**
18. **Convenience store.**
19. **Drive-through facilities.**
20. **Personal service establishments.**
21. **Check cashing facility.**
22. **Heavy equipment storage.**
23. **Truck stops.**
24. **Warehouses.**
25. **Solid waste disposal, Private industry solid waste disposal facility.**
26. **Bus station or terminal.**
27. **Ambulance service facility, Private ambulance service, Dispatch office.**
28. **Micro Home Community**

## **DIVISION 5. – STONECREST AREA OVERLAY DISTRICT**

### **Sec. 3.5.13. – High-rise mixed-use zone (Tier I Zone).**

**B. Prohibited uses. The following principal uses of land and structures are prohibited in Tier I:  
High-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:**

- 1. Kennels.**
- 2. Tire retreading and recapping.**
- 3. Sexually oriented businesses.**
- 4. Reserved Micro Home Community**
- 5. Outdoor amusement services facilities.**
- 6. Outdoor storage.**
- 7. Farm equipment and supplies sales establishment.**
- 8. Repair, small household appliance.**
- 9. Hotel/motel.**
- 10. Automobile sales.**
- 11. Flea Markets**
- 12. Automobile title loan establishments.**
- 13. Pawn shops.**
- 14. Package stores, except package stores located in mixed-use buildings with at least three stories and one non-retail use, and the package store cannot exceed 25 percent of the total heated floor area of the building**
- 15. Salvage yards.**
- 16. Self-storage facilities. Except multi-story climate controlled self-storage facilities, with a minimum of three stories, located at least 1,500 feet from another self-storage facility subject to the following conditions:**

- a. No storage units can be accessible from interior corridors, no outside storage of any kind allowed, including vehicle leasing;
- b. All buildings must contain fenestration or architectural treatments that appear like fenestration;
- c. Storage units may not be used for commercial, residential or industrial uses.

17. Gasoline service stations.

18. Automobile repair and maintenance, major.

19. Automobile and truck rental and leasing.

20. Commercial parking lots.

21. Automobile wash/wax service.

22. Check cashing facility.

23. Automobile emission testing facilities.

24. Small box discount stores.

**Sec. 3.5.15.3. – Viewshed zone (Tier VI).**

**D. Prohibited uses. The following principal uses of land and structures are prohibited in Tier VI:**

**Viewshed Zone:**

1. Sexually oriented businesses.
2. Pawn shops.
3. Package stores.
4. Check cashing facility.
5. **Micro Home Community**

## **DIVISION 33. – INTERSTATE 20 CORRIDOR COMPATIBLE USE OVERLAY DISTRICT**

### **Sec. 3.33.6. – Prohibited uses.**

**A. The following principal uses of land and structures are prohibited within the I-20 Corridor Compatible Use Overlay District:**

- 1. Boarding and breeding kennels as a primary use.**
- 2. Storage yard for damaged automobiles or confiscated automobiles.**
- 3. Tire retreading and recapping.**
- 4. Sexually oriented businesses.**
- 5. Reserved Micro Home Community**
- 6. Go-cart concession.**
- 7. Outdoor equipment and materials storage.**
- 8. Heavy repair shop and trade shop.**
- 9. Extended stay motels.**
- 10. Used cars sales as a primary use.**
- 11. Temporary and/or seasonal outdoor sales.**
- 12. Title and pawn shops.**
- 13. Liquor stores.**
- 14. Night clubs excluded in Tiers 2 and 3.**
- 15. Salvage yards/junkyards.**
- 16. Automobile, wash/Wax.**
- 17. Self-storage.**
- 18. Small box discount stores**

# ARTICLE 4. – USE REGULATIONS

## Sec. 4.1.3. - Use table.

	KEY: P - Permitted use Pa - Permitted as an accessory use										SA - Special administrative permit from Planning and Zoning Director SP - Special land use permit (SLUP)  <b>BLANK = NOT PERMITTED</b>															
Use	R E	RL G	R- 10 0	R - 8 5	R - 7 5	R - 6 0	RS M	M R- 1	M R- 2	H R- 1,2 ,3	M HP	R N C	O I	OI T	N S	C - 1	C - 2	O D	M	M - 2	M U- 1	M U- 2	M U- 3	M U- 4, 5	See Secti on 4.2	
<b>RESIDENTIAL</b>																										
<b>Dwellings</b>																										
<b>MICRO HOME COMMU NITY (MHC)</b>										<b>P</b>																✓



## **DIVISION 2. – SUPPLEMENTAL USE REGULATIONS**

### **Sec. 4.2.49. MICRO HOME COMMUNITY (MHC)**

#### **A. Permitted Districts.**

- a. HR-1, HR-2, and HR-3**

#### **B. Site Requirements. No other code shall prevail over this section.**

- a. MHCs shall be on a minimum of two (2) acres of land.**
- b. The minimum building separation is ten (10) feet.**
- c. Minimum setback on all sides shall be twenty (20) feet from property line.**
- d. Minimum lot area shall be 2,000 square feet.**

#### **C. Courtyard/ Amenities Area.**

- a. MHCs shall have a minimum of three (3) of the following amenities:**
  - 1. Gazebo;**
  - 2. Swimming Pool;**
  - 3. Tennis Court;**
  - 4. Walking Trail;**
  - 5. Club House;**
  - 6. Pet-Friendly Amenities;**
  - 7. Children Playground;**
  - 8. Outdoor Recreational Area (basketball court, soccer field, football field, etc.);**  
**and/or**
  - 9. Any other innovative shared social space.**

- b. The courtyard cannot be parked or driven upon, except for emergency access and permitted temporary events.**
- c. The courtyard shall be located outside of stormwater/detention ponds, wetlands, streams, and lakes, and cannot be located on slopes greater than ten percent.**

**D. Interior Requirements.**

- a. The living space per residential dwelling unit shall be a minimum of four hundred (400) square feet and a maximum of eight hundred (800) square feet, excluding patios, porches, garages, and similar structures.**
- b. A split-level micro home shall include a first floor living space of at least one hundred fifty (150) square feet.**
- c. A micro home shall have the following:**
  - 1. Dedicated kitchen area with a sink, cooking appliance, refrigerator, and clear working space of not less than thirty (30) linear inches.**
  - 2. Separate bathroom with a toilet, lavatory, and shower or bathtub.**
  - 3. A separate closet.**
  - 4. At least one habitable room containing an openable window and a closet.**
  - 5. Ceilings at least 6'8" tall**
  - 6. Rooms not meant for sleeping are at least 70 square feet.**

**E. General Requirements.**

- a. All micro homes shall be designed, erected, and installed following applicable local, State, and Federal codes, regulations, and standards.**
- b. Micro homes shall be placed on a permanent foundation and hooked up to an approved sewage disposal system, potable water service and electrical service.**

- c. All units must be within five feet of each common open space/ courtyard. Setbacks cannot be counted toward the open space calculation.
- d. Mandatory HOA (Homeowners Association) is required for maintenance of streets, drainage, and all common areas.
- e. All utilities must be installed underground.
- f. One and half (1.5) parking spaces per dwelling unit shall be provided. Parking location(s) shall be decided by the developer.

## **ARTICLE 9. – DEFINITIONS/MAPS**

### **Sec. 9.3.1. – Defined terms.**

***Micro House* means a detached dwelling that is at least 400 square feet and no more than 800 square feet, excluding lofts and subject to zoning requirements and building code regulations.**

***Micro Home Community (MHC)* means any parcel or tract of land on which a maximum of 15 units per acre of micro houses are located or are intended to be located.**

***Site-Built Residential Dwelling (Stick-Built)* means residential buildings or structures that are built on the construction site and not designed or intended to be moved or relocated. Site-Built dwellings shall meet the following codes: International Residential Code (IRC), with Georgia Amendments; International Plumbing Codes (IPC), with Georgia Amendments; International Energy Efficiency Code (IECC) with Georgia Amendments; and the National Electrical Code (NEC).**