

STATE OF GEORGIA

DEKALB COUNTY

CITY OF STONECREST

ORDINANCE NO. ____ - _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STONECREST, GEORGIA ARTICLE IV (USE REGULATIONS), ARTICLE VI (PARKING) AND ARTICLE VIII (DEFINITIONS/MAPS) WITHIN CHAPTER 27 (ZONING ORDINANCE) FOR REVISIONS IMPACTING TRUCK PARKING LOTS; 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 ARTICLE IV (USE REGULATIONS), ARTICLE VI (PARKING) AND ARTICLE VIII (DEFINITIONS/MAPS) WITHIN CHAPTER 27 (ZONING ORDINANCE); 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 recommends approval based on the City Staff Report; and

WHEREAS, a public hearing and recommendation pursuant to the provisions of the City's Zoning Procedures Law has been provided by the Planning Commission; and

WHEREAS, a public hearing pursuant to the provisions of Georgia's Zoning Procedures Law has been properly held by the City Council 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 ARTICLE IV (USE REGULATIONS), ARTICLE VI (PARKING) AND ARTICLE VIII (DEFINITIONS/MAPS) WITHIN CHAPTER 27 (ZONING ORDINANCE) by adopting the amendment set forth in Exhibit A attached hereto and made a part hereof by reference.

Section 2. That text added to current law appears in **red and bold** 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 _____ day of _____, 2023.

[SIGNATURES TO FOLLOW]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A



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STONECREST ZONING ORDINANCE UPDATE

Revision to the Zoning Ordinance, Chapter 27

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- 1 0 0	R - 8 5	R - 7 5	R - 6 0	RS M	M R- 1	M R- 2	HR - 1, 2, 3	M HP	R N C	O I	O IT	N S	C - 1	C - 2	O D	M - 2	M U- 1	M U- 2	M U- 3	M U- 4, 5	See Sect ion 4.2	
INDUSTRIAL																									
Transportation equipment storage or maintenance (vehicle)																			P	P					✓
Truck stop or terminal																			P	P					✓



Division 2. – Supplemental Use Regulations

Sec. 4.2.54. – Truck Stop/Terminal and Transportation equipment storage or maintenance (vehicle)****

The following provisions apply to truck stops/**terminals and transportation equipment storage or maintenance (vehicle) whether** designed as a primary use or accessory use as part of an industrial development:

- A. Truck stops/**terminals and transportation equipment storage or maintenance (vehicle)** shall be permitted only on parcels of ten (10) acres or more.
- B. Entrance drives for truck stops/**terminal terminals and transportation equipment storage or maintenance (vehicle)** facilities shall not be closer than 300 feet from any point of an interstate highway interchange.
- C. Truck stops/**terminal terminals and transportation equipment storage or maintenance (vehicle)** shall meet all state and federal environmental guidelines and requirements.
- D. **A minimum office space of twenty (20) percent of the total non-repair-use structures shall be constructed.**
- E. **Structures shall be consisted of face brick, granite, stone, marble, terrazzo, architecturally treated reinforced concrete slabs, either fluted or with exposed aggregate, insulated window wall panels or stainless steel, porcelain-treated steel, anodized or other permanently finished aluminum.**
- F. **Trucks and trailers must be parked in an orderly fashion and on surfaces paved with asphalt or concrete.**
- G. **Any truck repair must be performed inside an enclosed building.**
- H. **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.**
- I. **Permissible in M2 (Heavy Industrial) Zoning Districts only.**
- J. **Drainage:** Parking areas must be constructed to allow proper drainage, which shall be subject to the review and approval of the Department of Planning and Zoning.
- K. **Driving Surfaces:** All parking areas, including parking spaces, interior drives, and ingress/egress into parking areas must be paved with asphalt, concrete, or an approved permeable surface. All parking areas shall be clearly painted to show each parking space. **The parking area shall be at least 25 feet from the street right-of-way.**



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- L. Geometric consideration for truck parking Design including turning radius, parking stall design, parking slot type, swept path, slot density and access, layout and circulation should meet the standards of Truck Parking development handbook by the US Department of Transportation, Federal Highway Administration (September 2022)**
- M. Provided that no truck stop/terminal and transportation equipment storage or maintenance (vehicle) shall be located within 1,000 feet of any other truck stop/terminal and transportation equipment storage or maintenance (vehicle) nor within 1,300 feet of any public or private school, any public or private park or recreation facility, any public or private hospital or mental health care facility, any church or similar place of religious worship, any cemetery, any child care or day care facility or any residential districts.**

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:



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10. Notwithstanding any other provisions of chapter 27 or chapter 14, parking areas and/or parking on ~~unpaved~~ paved surfaces for **truck stop/terminal and** transportation equipment and storage or maintenance (vehicle) storage, without services provided, shall be permitted as a principal use on parcels zoned M-2, provided that:
- The parking area shall be screened from the view of the public street with an opaque **corrugated metal** fence or wall minimum of ~~six~~ **ten (10)** feet in height. **Chain link and wooden fences along street frontage are prohibited.**
 - The parking area shall be at least 25 feet from the street right-of-way.
 - A ten-foot-wide evergreen landscape buffer shall be planted around the perimeter of the fence along the public street with at least ~~75 percent evergreens and at least two rows of plants~~ **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.**
 - The soil erosion, sedimentation and pollution requirements of chapter 14, article V of the Code of the City of Stonecrest, Georgia are met;
 - Minimum standards of the Georgia Stormwater Management Manual are met in terms of stormwater runoff and water quality; and
 - ~~The parking lot has a minimum of one acre.~~ **Truck stops/terminals and transportation equipment storage or maintenance (vehicle) shall be permitted only on parcels of ten (10) acres or more.**
 - All parking areas and/or parking on unpaved surfaces for truck stop/terminal and transportation equipment and storage or maintenance (vehicle) storage without services provided which are permitted as a principal use on parcels zoned M-2 shall be upgraded to the standards of this Sec. 6.1.3.B.10. no later than the time of business license renewal in 2025.**
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:
- The parking area shall be at least ~~150~~ **1,300** feet from the boundaries of a residentially zoned parcel;
 - The parking area subgrade must meet a minimum compaction of 95 percent as certified by a registered professional engineer;
 - The parking area surface shall be composed of at least eight inches of compacted Graded Aggregate Base;



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- 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 ~~two~~ 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 required;
- ~~f. — Parking areas on unpaved surfaces for transportation equipment and storage or maintenance (vehicle) storage with existing unpaved areas shall be considered a nonconforming use under section 8.1.5 exempt from the requirements of subsections B.10. and 11 of this section. if the underlying use of the parcel was issued a business license or Motor Carrier Number valid on December 31, 2017;~~
- g. ~~All other parcels with existing unpaved areas shall have two years to comply with these specifications with a one time extension up to 12 months.~~



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Article 6. – Parking

Sec. 6.1.4. – Off-street Parking Ratios

Table 6.2. Off-street Parking Ratios

Minimum and Maximum Parking Spaces		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
<i>Industrial</i>		
Heavy and light industrial, manufacturing, and commercial establishments not involving retail sales	One space for each 2,000 square feet of floor area.	One space for each 1,300 square feet of floor area.
Truck Stop/Terminal and transportation equipment storage or maintenance (vehicle)	Three space for each 1,000 square feet of floor area	Five space for each 1,000 square feet of floor area
Warehouse, distribution	One space for each 2,500 square feet of floor area.	One space for each 500 square feet of floor area.
Wholesale membership club	One space for each 500 square feet of floor area	One space for each 200 square feet of floor area.
Wholesale trade establishments, distribution establishments, offices in conjunction with showrooms, and similar uses	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.	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.



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Article 9. – Definitions/Maps

Sec. 9.1.3. – Define terms.

Commercial parking garage/structure means a covered or sheltered structure of one or more stories designed, constructed and used for the parking of motor ~~vehicles~~ **automobiles** for profit.

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

Transportation equipment and storage or maintenance (vehicle) means any building, premises or land in which or upon which is the storage or maintenance of motor freight vehicles or equipment, without services provided, such as those provided by a truck stop. Compare with Truck terminal.

Truck stop means any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into such commercial vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop may also include overnight accommodations and restaurant facilities primarily for the use of truck crews.

Truck terminal means an area and building where vehicles load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.