

TMDO-21-011 Attachment 1 - Staff Report



PLANNING & ZONING STAFF REPORT

MEETING DATE: November 22, 2021

GENERAL INFORMATION

- Petition Number:** TMOD 21-011
- Applicant:** Stonecrest Planning and Zoning Department
- Project Location:** City-Wide
- Proposed amendment:** Amendment to Stonecrest Zoning Ordinance, Chapter 27 to remove language encouraging residential conversion of industrial buildings.

FACTS AND ISSUES:

- Stonecrest has a long industrial history, the county had allowed residential encroachment through rezoning decisions over the years that has led to land use conflicts.
- Steps need to be taken to mitigate potential impacts between residential and industrial uses and discourage residential encroachment into industrial areas.
- An important step in this process is to remove language in the code that encourages conversion of industrial districts for residential uses.
- Additional text amendments will be addressing other aspects of how to mitigate potential conflicts will be presented but this text amendment plays an important role in supporting those other amendments and making them more legally defensible.

RECOMMENDED ACTION: The Planning Commission deferred recommendation on this text amendment to City Council at their October 5, 2021 meeting. Staff recommends Approval.

TMOD-21-011 Attachment 2 - Proposed Changes

TMOD-21-011
STONECREST ZONING CODE UPDATE
REVISIONS and NEW ORDINANCES

Reason for Proposed Changes: Allowing conversion of industrial buildings to residential uses is an unnecessary encroachment into industrial areas. It would create potential future land use conflicts. Moreover, it is doubtful that there are any older industrial buildings in the Stonecrest in the Industrial Districts that would be eligible for conversion.

Revision to Sec. 2.31.1. – Statement of purpose and intent of the M (Light Industrial District).

Proposal: Delete current Subsection G., which says a purpose and intent of the M (Light Industrial) District is to allow for converting certain industrial buildings in the M district to multifamily dwellings.

Track changes version of proposed changes.

Sec. 2.31.1. - Statement of purpose and intent.

The purpose and intent of the City Council in establishing the M (Light Industrial) District is as follows:

- A. To provide areas for the establishment of businesses engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment and the sale and distribution of such goods, merchandise or equipment in locations so designated in the comprehensive plan;
- B. To provide an environment for light industrial uses that produces no appreciable impact on adjacent properties and preserve the appeal and appearance of residential and commercial areas;
- C. To ensure that all establishments located within the M (Light Industrial) District operate in compliance with the noise standards contained in this chapter and that any negative noise impact resulting from the use of land within the M (Light Industrial) District is contained within the boundaries of said district and does not create noise problems for adjoining residential, office or commercial districts;
- D. To provide an area within City of Stonecrest for recycling and green businesses to locate;
- E. To generate employment opportunities and economic development;

F. To ensure that M (Light Industrial) Districts are so located that transportation access to thoroughfares and freeways is available;

~~G. To allow for the conversion of industrial buildings which are 50 years of age or older to multifamily dwellings so as to promote living and working space as well as historic preservation;~~

~~H.G.~~ To implement the future development map of the city's most current comprehensive plan.

**Revision to Sec. 2.31.5. – Conversion of buildings to residential prohibited.
[Revision; formerly “Multifamily use provisions for industrial conversion”.]**

Proposal: The section currently specifies criteria for converting buildings in the M (Light Industrial) District to residential. The proposed revision prohibits such conversions.

Track changes version of proposed changes.

Sec. 2.31.5. – ~~Conversion of buildings to residential prohibited. Multifamily use provisions for industrial conversion.~~

~~A. The conversion of industrial buildings in the M (Light Industrial) District to residential use is prohibited. shall be permitted by a special land use permit. The following shall be considered:~~

- ~~1. Whether the building is located on the interior or periphery of an established industrial park or area;~~
- ~~2. Whether the building or area should no longer be used for industrial uses;~~
- ~~3. Adequate parking is provided in accordance with article 6 of this chapter, for multifamily or live-work.~~

Revision to Sec. 2.32.1. – Statement of purpose and intent of the M-2 Heavy Industrial District.

Proposal: Revise the section by limiting the statement of purpose and intent in Subsection D. The subsection currently says that “any” negative noise impact from using land in the M-2 Heavy Industrial District should be contained in that District and not “create noise

problems” for adjoining districts. The revision would simplify the statement and refer to the adopted noise standards in the ordinance.

Reason for proposal: The current statement is too broad and too strict. The revision would substitute a more reasonable standard.

Track changes version of proposed changes.

Sec. 2.32.1. - Statement of purpose and intent.

The purpose and intent of the City Council in establishing the M-2 (Heavy Industrial) District is as follows:

- A. To provide areas for manufacturing, warehousing and distribution facilities at locations so designated in the comprehensive plan;
- B. To provide for a location for intense industrial uses that do not require and may not be appropriate for a nuisance free environment;
- C. To provide for a location that allows nuisances such as noise, vibration and other impacts which cannot be contained on-site;
- D. To ensure that all businesses located within the M-2 (Heavy Industrial) District operate in compliance with the noise standards contained in this chapter; ~~and that negative noise impact resulting from the use of land within the M-2 (Heavy Industrial) District is contained within the boundaries of said district and does not create unreasonable noise problems for adjoining residential, office or commercial districts;~~
- E. To ensure that industrial districts are so located that transportation access to thoroughfares and freeways is available;
- F. To implement the future development map of the city's most current comprehensive plan.

Add New Sec. 2.32.6 – Conversion of buildings to residential use prohibited.

Proposal: This new section would prohibit conversion of buildings in the M-2 (Heavy Industrial) district to residential use.

Track changes version of proposed changes.

Sec. 2.32.6. – Conversion of buildings to residential use prohibited.

The conversion of buildings in the M-2 (Heavy Industrial) District to residential use is prohibited.