

**STATE OF GEORGIA
COUNTY OF DEKALB**

ORDINANCE 2026-10

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF STONE MOUNTAIN, GEORGIA, CONCERNING 977 MAIN STREET (PARCEL ID #1808927003) APPROVING A SPECIAL USE PERMIT (SUP) TO ALLOW A MICRO DISTILLERY AND SMOKE SHOP, BOTH WITH CONDITIONS IN ACCORDANCE WITH APPENDIX A OF THE ZONING ORDINANCE

This is an Ordinance ("Ordinance") to amend Appendix A Zoning Code of Ordinances ("Code") of the City of Stone Mountain, Georgia ("City") enacted by the City to its authority under the laws of Georgia Zoning Procedures Law O.C.G.A. Title 36, Chapter 66;

WHEREAS, on April 20, 2026, the Planning Commission ("Commission") held a public meeting on an application for a special use permit to allow a micro distillery and smoke shop located at 977 Main Street (Parcel ID #1808927003) requesting an amendment to the Code and to the Zoning Map relating to the subject property more particularly described in Exhibit A ("SUP Application"); and,

WHEREAS, the Commission thereafter recommended denial of the SUP Application with respect to the smoke shop and approval of the SUP Application with respect to the micro distillery with the following conditions:

- A. The site will not expand or become enlarged. If such conditions do occur, the applicant will be required to apply for a change in condition.
- B. The site is not permitted to function as a night club or cocktail lounge.
- C. Any shared parking agreement obtained by the owner to permit its patrons to park on adjacent parking sites must comply with 7-3.1(6), of the Stone Mountain Code of Ordinances, which requires a written shared parking agreement between all affected parties, be submitted to the City of Stone Mountain for approval. Such agreements must be provided to the city for review prior to execution.
- D. Trash disposal areas are required per 5-5.6 Additional District Development Regulations. If approved by City Council, locations should be designated, or a plan for trash disposal should be provided to the Planning and Zoning Department within 6 months of any City Council special use permit approvals.

WHEREAS, on June 2, 2026, the Mayor and City Council ("Council") held a public hearing on the SUP Application; and

WHEREAS, the Council thereafter approved the Commission's recommendations, with approval of a micro distillery with conditions and a denial of a smoke shop.

NOW, THEREFORE, BE IT RESOLVED by the Council meeting in regular session, that the Code and Zoning Map are hereby amended as follows:

1. 977 Main Street (Parcel ID #1808927003) will be governed by the provisions and conditions of this ordinance except as modified, revised, or amended in accordance with Sec 2-1 of the Code and applicable Georgia law.
2. 977 Main Street (Parcel ID #1808927003) will continue to be governed by the provisions of the underlying zoning district or Village Center Mixed Use (VCM), except as modified, revised, or amended in accordance with Sec 2-1 of the Code and applicable Georgia law.
3. The Special Use permit for a micro distillery at 977 Main Street (Parcel ID #1808927003) is hereby approved, with the following conditions:
 - A. The site will not expand or become enlarged. If such conditions do occur, the applicant will be required to apply for a change in condition.
 - B. The site is not permitted to function as a night club or cocktail lounge.
 - C. Any shared parking agreement obtained by the owner to permit its patrons to park on adjacent parking sites must comply with 7-3.1(6), of the Stone Mountain Code of Ordinances, which requires a written shared parking agreement between all affected parties, be submitted to the City of Stone Mountain for approval. Such agreements must be provided to the city for review prior to execution.
 - D. Trash disposal areas are required per 5-5.6 Additional District Development Regulations. If approved by City Council, locations should be designated, or a plan for trash disposal should be provided to the Planning and Zoning Department within 6 months of any City Council special use permit approvals.

BE FURTHER RESOLVED that this ordinance shall take effect immediately upon its adoption, this 2nd day of June 2026.

CITY OF STONE MOUNTAIN, GEORGIA

Approved:

Jelani Linder, Mayor

ATTEST:

Shavala Ames, City Clerk

APPROVED AS TO FORM:

Angela C. Couch, City Attorney

EXHIBIT A TO ORDINANCE 2026-10
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 89 of the 18th District, DeKalb County, Georgia, being located in the City of Stone Mountain, and being more particularly described as follows:

Commencing on the East side of the first main street (formerly called Lawrenceville Street) at the Northwest corner of property now or formerly owned by G.R. Wells; and running thence North along the East side of first main street (formerly known as Lawrenceville Street) 24 feet to the Southwest corner of property now or formerly owned by Dr. W.T. McCurdy, and running thence East along the South line of property of Dr. W.T. McCurdy, a distance of 64 feet to property now or formerly owned by Nash and McCurdy; and running thence South along the West line of Nash and McCurdy Property, a distance of 24 feet to the North line of property now or formerly owned by G.R. Wells, running thence West along the North line of property now or formerly owned by G.R. Wells, a distance of 64 feet to the East line of first main street (formerly known as Lawrenceville Street) and the point of beginning; being improved property known as #977 Main Street, Stone Mountain, Georgia.