

PLANNING COMMISSION MEETING MINUTES SUMMARY
Stonecrest City Hall- 6:00 PM *Spoke-in-Person Meeting
September 5, 2023

As set forth in the Americans with Disabilities Act of 1990, the City of Stonecrest will assist citizens with special needs given notice (7 working days) to participate in any open meetings of the City of Stonecrest. Please contact the City Clerk's Office via telephone (770-224-0200)

Citizens wishing to actively participate and make a comment during the public hearing portion of the meeting please submit a request via email address planning-zoning@stonecrestga.gov by noon the day of the hearing August 1, 2023. The zoom link for the meeting will be sent to you, or you can also submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

I. **Call to Order:** Chairman Eric Hubbard (District 3) called the Spoke-in-Person meeting to order at 6:00 PM.

II. **Roll Call:** Chairman Hubbard (District 3) called the roll. Commissioner Joyce Walker (District 2), and Commissioner Lemuel Hawkins (District 5) were present. Commissioner Pearl Hollis (District 4) was absent and the District I seat is currently vacant.

Planning Director Ray White, Deputy Director Matthew Williams, Senior Planner Tre' Jon Singletary, and Planner Abeykoon Abeykoon were in attendance. Attorney Alicia Thompson, Fincher Denmark, LLC, virtually attended.

III. **Approval of Minutes: The Planning Commission Meeting Minutes Summary dated August 1, 2023.** Chairman Hubbard called for a motion to approve the Planning Commission meeting Minutes Summary dated **August 1, 2023** and moved by Chairman Hubbard. Commissioner Walker seconded the motion. The motion was unanimously **APPROVED**.

IV. **Approval of the Agenda:** Chairman Hubbard called for a motion to **APPROVE THE AGENDA**. Commissioner Hawkins motioned to **APPROVE THE AGENDA**. Commissioner Walker seconded the motion. The motion was unanimously **APPROVED**.

V. **Presentations: Upcoming Cases Presented by: Matthew Williams, Deputy Director**

- **RZ-23-003**
- **SLUP22-016**
- **SLUP23-007**
- **SLUP23-008**
- **TMOD23-004**

VI. **Old Business: RZ-23-003**

VII. **Announcements**

Dr. Ray White Retirement and Voting

VIII. **Presentations**

The Deputy Director Matthew Williams Presented all cases above

RZ-23-003

- 4700 Browns Mill Road
- Battle Law PC on behalf of applicant, Ray of Hope Christian Church Disciples of Christ, Inc.
- Applicant is seeking a major modification of conditions of the subject property to change the conditions from zoning case number CZ-05-32, to allow for 46 Single-Family Detached Dwellings

Commissioner Hawkins asked for designs and site plans relating to the proposal to the last meeting.

Matthew Willaims states that the documents asked for in the last meeting were not sent over by the applicant

The applicant also was not present

SLUP22-016

- 1352 Regal Heights Drive
- Stella Akolade
- Petitioner is seeking a Special Land Use Permit (SLUP) to operate a Personal Care Home, Group.

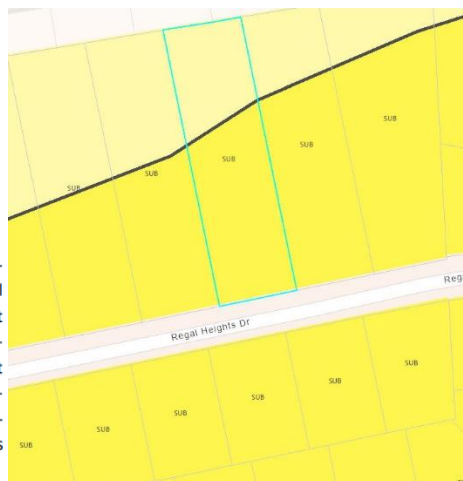
Facts and Background

- CPIM (Community Planning Information Meeting) was held on August 10th
- Petition is considered a Type II Home Occupation
- Applicant is proposing to host no more than three (3) individuals within home
- Existing structure is approximately 2,478 sq. ft.
- Applicant must obtain approval of SLUP (Special Land Use Permit) and Business License prior to operations

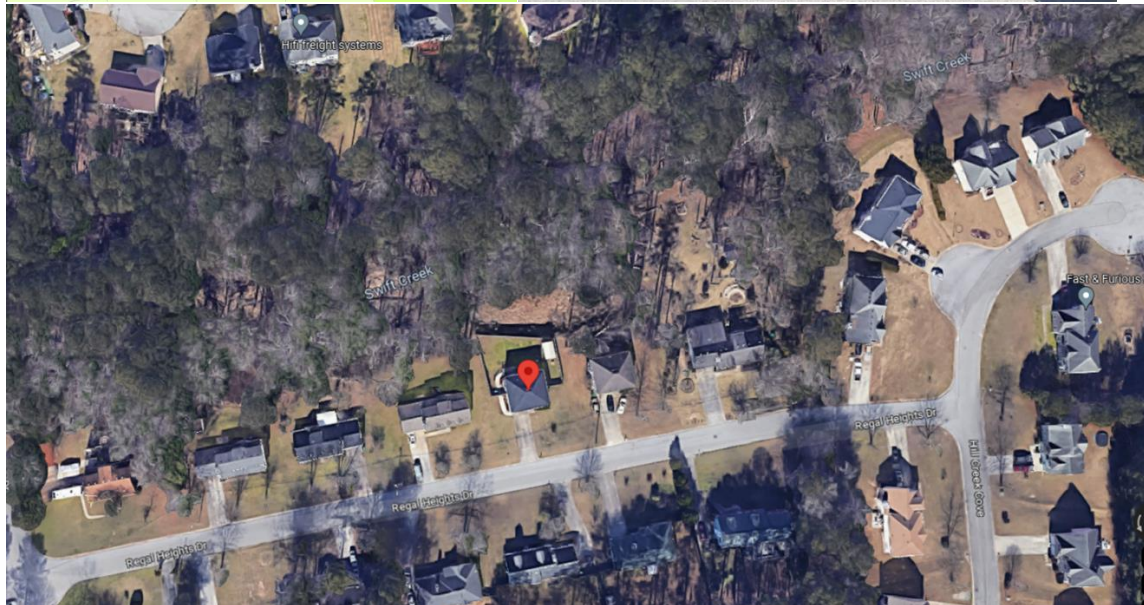
Future Land Use/Character Area

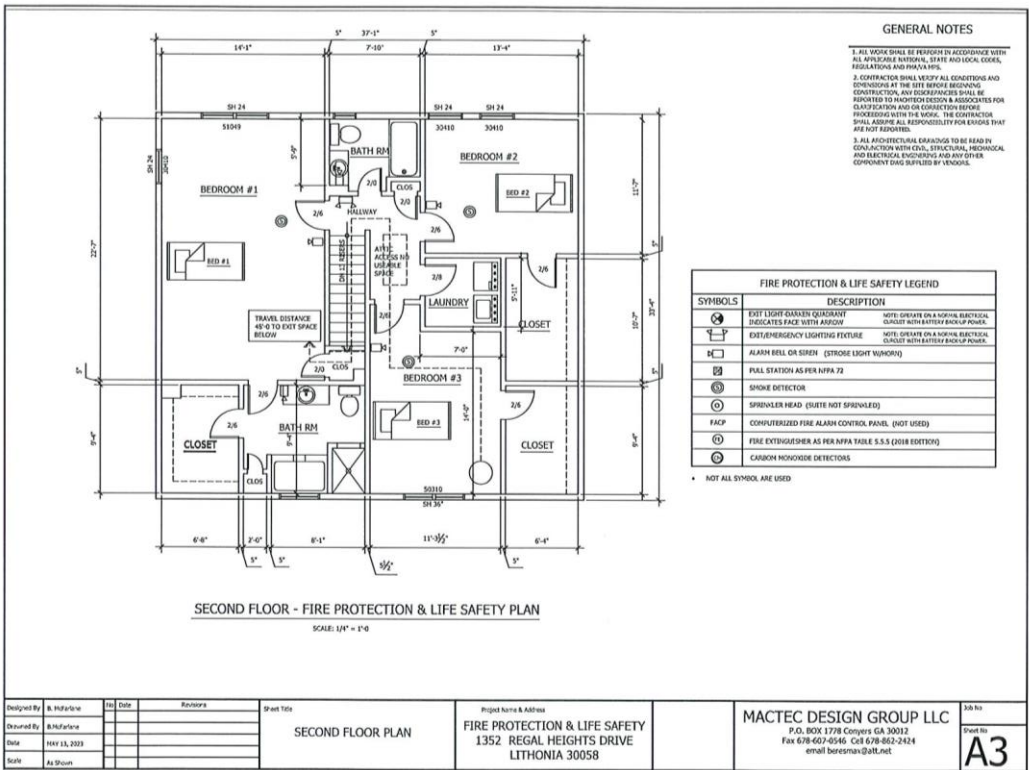
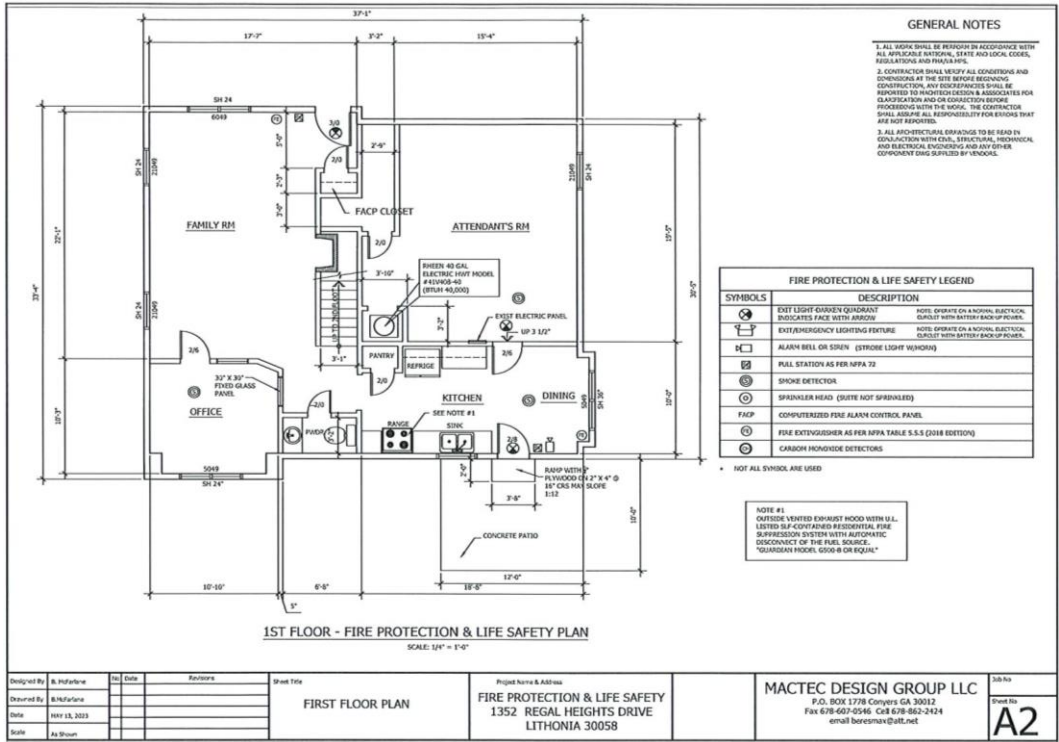
Suburban Neighborhood (SN)

The intent of the Suburban Neighborhood character area is to recognize those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those developed (built out) and those under development pressures. Those areas are characterized by low pedestrian orientation, limited transit access, scattered civic buildings and curvilinear street patterns. The proposed density for areas of this type is up to 8 dwelling units per acre.



Zoning- R-100 Residential Medium Lot





Sec. 4.2.41. – Personal Care Homes & Child Caring Institutions

A. *Personal care homes, general requirements.*

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the personal care home. If owned by an individual, the individual owner must reside in the group personal care home.
2. Each personal care home must obtain a city license as well as all license(s) and/or permit(s) required by the State of Georgia before beginning to operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
3. No personal care home may display any exterior signage that violates the sign ordinance in [chapter 21](#) of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
4. Personal care homes may apply for an FHA Accommodation Variance as provided for in [section 7.5.9](#) of this chapter.
5. No city permit for the operation of the personal care home shall be transferable.

B. *Personal care home, group (up to six persons).*

1. Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in [article 6](#).
3. The home must be at least 1,800 sq. ft in size.
4. In order to prevent institutionalizing residential neighborhoods, no group personal care home located in a residential zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located.

Staff recommends **APPROVAL** with the following condition(s):

1. Applicant must comply and remain in compliance with [Sec. 4.2.41. - Personal care homes and child caring institutions](#); and
2. Applicant must comply and remain in compliance with all International Building Code regarding care facilities within a dwelling.

Chairman Hubbard asked if the applicant agreed to the two conditions

Matthew Williams stated that is a requirement

Public Hearing was opened

Stella Akolade (The applicant) came to the stand to speak on her petition and stated that it will be for individuals with development disabilities, staff will be with them all of the time, and the individuals who stay at the home are comparable to living with a family member

Commissioner Hawkins asks if there was a meeting with the community and what type of individuals will be staying there

Matthew Willaims mentions that there was a CPIM meeting

Ms. Akolade mentions that it will be adults in the age range 18 to late 70s

There was no one to speak in favor of the application but one to speak in opposition.

Charles Spivey has been living across the street from this property since 1995. He stated that there was a citizen who previously owned this home and operated the same type of business. During that time traffic was an issue, parking was also an issue and people would park in front of his home including the employees, and the police were called at times.

Commissioner Walker asked if the neighborhood had an HOA and if there were any issues regarding the age range of the residents when the previous owners were there

Mr. Spivey stated that there was not an HOA which is why he enjoyed moving there because all of the neighbors were in agreement with the upkeep of the neighborhood. He stated that his youngest daughter had an issue because there was a man that would stare at her and smoke but there were never any confrontations.

The biggest problem was parking in the street because the driveway is steep.

Ms. Akoldale stated that she has been in this industry for a while because she was a registered nurse. She visited the home before the previous owner left. The driveway is a good size and she does not like parking on the street. She also stated that she would make sure to work with her neighbors before operating.

Commissioner Hawkins asked if there is someone at the house full-time and why would the individuals need to stay there.

Ms. Akolade stated that she will stay in the home and an individual (staff member) would be there full-time. Individuals will stay there if they have intellectual development disabilities.

Commissioner Walker asked why the previous owner left

Ms Akoldae stated that the owner said that she was tired.

Public hearing was closed for discussion.

Commissioner Walker asked if there were any other personal care homes in this area

Director Ray White stated that they did not have an estimate

Commissioner Hawkins was concerned about the individual who was in opposition

Chairman Hubbard made a motion to approve the petition with the conditions made by the department.

Commissioner Hawkins seconded the motion and it was **Approved** by unanimous **Approval**.

SLUP23-007

- 2547 Lithonia West Drive

- Hanna Casswell of Casswell Design Group, LLC
- Petitioner is seeking a Special Land Use Permit (SLUP) to operate an Asphalt Plant.

Facts and Background

- CPIM (Community Planning Information Meeting) was held on August 10th
- Applicant sought to rezone property in 2020; applicant withdrew rezoning application
- Currently existing has a licensed business as a Concrete Plant
- Subject property is surrounded by industrial zoned parcels
- The Applicant is proposing to be an enclosed concrete plant
- Proposed hours of operation will be 7:00 AM – 7:00 PM

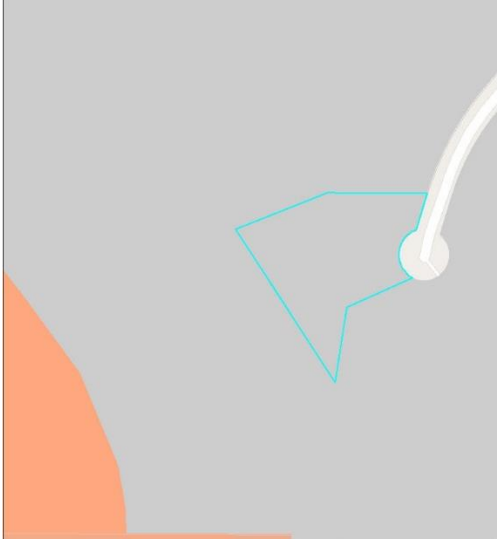
Future Land Use/Character Area

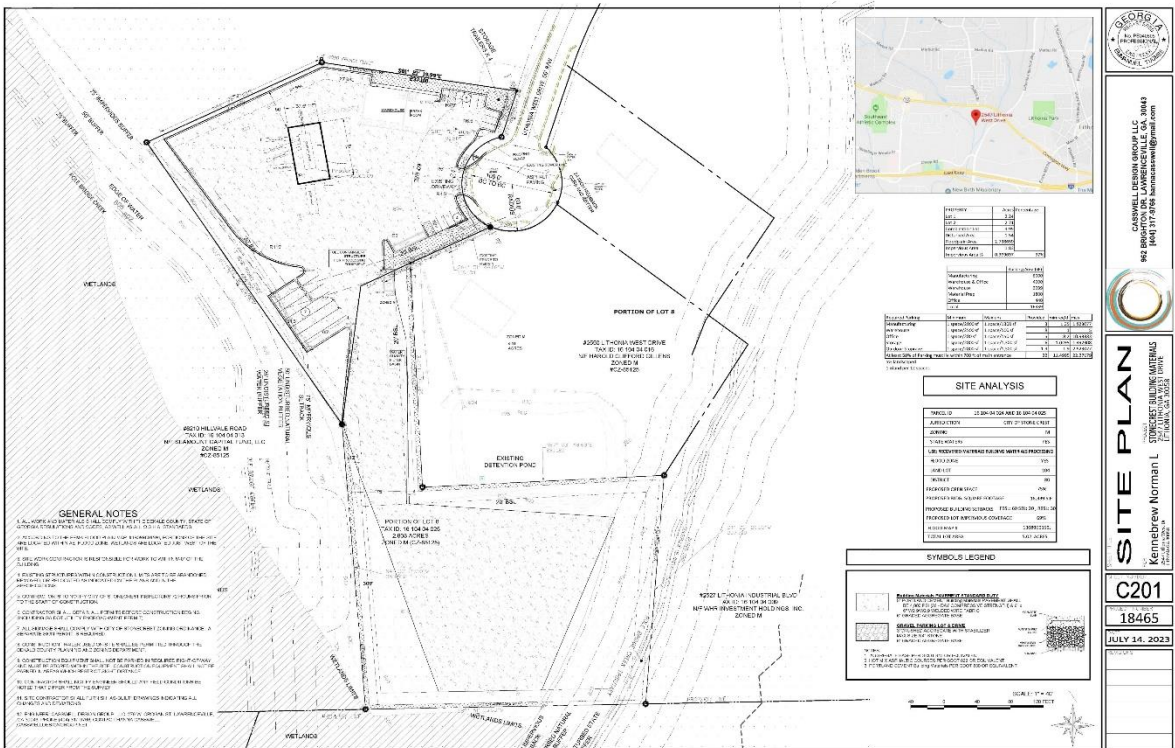
Light Industrial (M-LI)

The intent of the Light Industrial Character Area is to identify areas that are appropriate for industrial type uses. The location of these areas shall preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses. These areas consist of areas used in low intensity manufacturing, including wholesale trade, and distribution activities that do not generate excessive noise, vibration, air pollution or other nuisance characteristics.



Zoning Map- M Light Industrial





Staff recommends **APPROVAL** with the following condition(s):

1. Applicant must submit a building permit prior any structures being constructed and;
2. Applicant must comply and remain in compliance with all federal, state, county, and local environmental ordinances.

Public Hearing was opened

Antonio Vile representative of The Applicant Ron Kennedy came to the stand. He stated it was brought up by staff that there was an application that was submitted in 2020. They made it to the city council but withdrew the application. He and his client want to make sure that they are in compliance.

Commissioner Hawkins asked how long they had been in business

Ron Kennedy stated that they have been 404Concrete since 2016, but have been in that location since 2020.

Commissioner Walker asked about the community meetings.

Hanna Caswell another representative for the company came to the stand. She stated that there were people who were in opposition, but they did not live in the area. This was during the time of the first rezoning application. She also explained that the property was originally zoned M1 but they wanted to do M2 at the time.

Commissioner Walker asked if they were in operation at the moment

Antonio Vile states They are currently operating

Attorney Bernie Knight came to the stand to speak in opposition. He thinks the application should be deferred. Asphalt should not be on the application because it is a concrete plant. The plant has been operating for years without the proper zoning and proper permits. He has nothing against the applicant. It is a heavy industrial use. There should not be heavy industrial usage added south of Covington Highway.

Dave Marcus a Stonecrest resident of 32 years spoke in opposition because they have been operating illegally. He doesn't believe that the people who attended the community meeting did not live in the area. Concerned about the previous application. He agrees with Bernie Knight about location. It leaves a bad taste in his mouth and asks that the Planning Commission deny the application.

Anthony Vile came back to the stand for rebuttal. The previous application is the past and the staff is aware of what happened. They have been operating with no issues and have been in communication with the city. They have paid fines and other fees needed for the application.

They are within the ordinance and right to operate. They have done everything required and ask that they approve.

The floor opened for discussion

Commissioner Hawkins mentions that he agrees that concrete is heavy industrial, but the usage is allowed within the light industrial according to the code. If there is an issue then the public can communicate with staff for amendments. The code allows it and they have to follow code.

Commissioner Hawkins approves the application with conditions recommended by staff. Chairman Hubbard seconded this motion. Commissioner Walker voted against it.

The application still passes

SLUP23-008

- 6419 Rockland Road
- Joel Burkholder
- Petitioner is seeking a Special Land Use Permit (SLUP) to operate a Short-Term Vacation Rental.

Facts and Background

- CPIM (Community Planning Information Meeting) was held on August 10th
- The existing dwelling is approximately 3,122 sq ft.
- Existing dwelling consists of four (4) bedrooms, 1.5-bathroom, family room, dining room, kitchen, outside courtyard, living room, mudroom hallway, laundry room on the main level
- Additionally, one (1) bedroom, full bathroom, and living room located in basement
- Section 4.2.58 (Short Term Vacation Rental (STVR)) lists eleven (11) supplemental regulations applicant must abide by

Future Land Use/Character Area

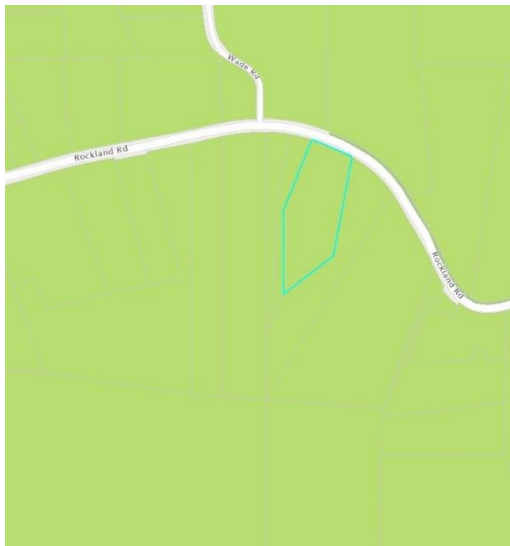
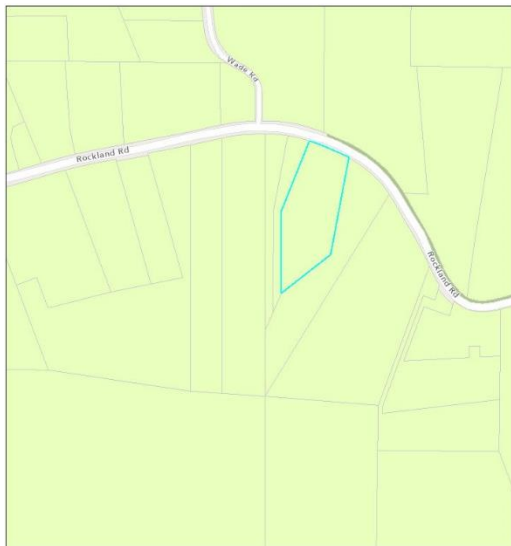


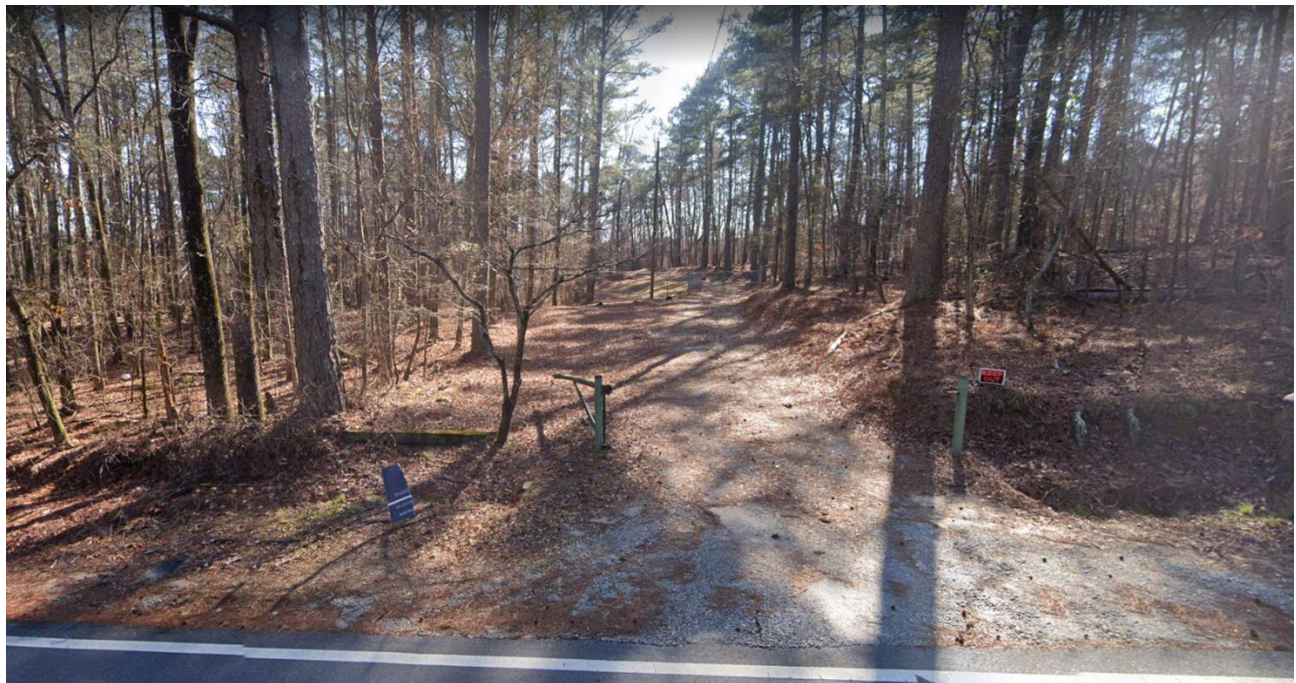
Rural Residential (RR) Character Area

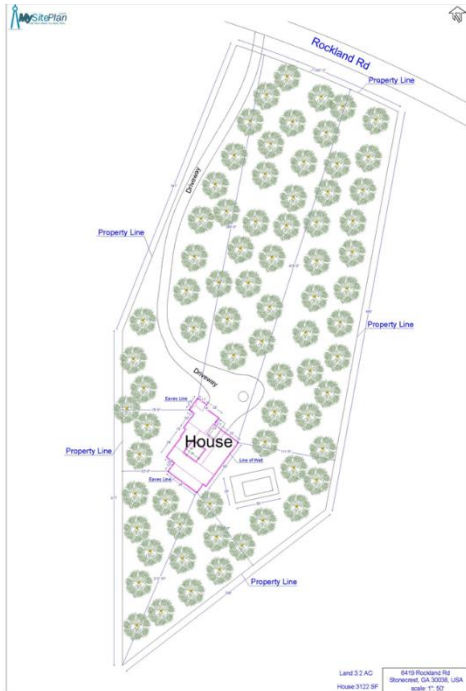
The purpose of the Rural Residential category is to provide for areas that are suitable for low-density housing with densities of up to four (4) dwelling units per acre. Single-family detached housing is the most appropriate type of development for this district. Stable Low-Density Residential Districts should be protected from encroachment of higher density or high intensity uses.

Zoning- R-100 Residential Medium Lot

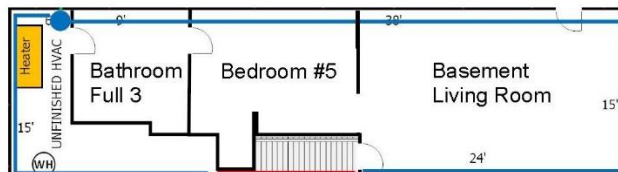
Overlay District- Arabia Mountain Conservation







Joel Buckholder
Customer #316430



Sec. 4.2.58. – Short Term Vacation Rental

- A. No individual renting the property shall stay for longer than 30 consecutive days.
- B. The STVR shall not be operated in such a way as to change the residential character of the neighborhood in which it is located and shall comply with the noise ordinance.
- C. In every dwelling of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain not less than 70 square feet of floor area, and every room occupied for sleeping purposes by two occupants shall contain at least 120 square feet of floor area. Maximum occupancy limits for any overnight guests must not exceed two guests for every bedroom located in the STVR.
- D. Every Bedroom shall have a window facing directly and opening to the outdoors.
- E. Every bedroom shall have access to not less than one water closet and lavatory without passing through another bedroom. Every bedroom in an STVR shall have access to not less than one water closet and lavatory located in the same story as the bedroom or an adjacent story.
- F. There shall also be provided at least one off-street parking space for each bedroom used as a part of the STVR.
- G. No signs or advertising are permitted to identify or advertise the existence of the STVR, beyond those otherwise allowed for the residential property.
- H. All STVR units shall be furnished with a telephone that is connected to a landline or similar type connection, including a voice over internet protocol, in order that 911 dispatch may be able to readily identify the address and/or location from where the call is made when dialed.
- I. A diagram depicting two egress routes shall be posted on or immediately adjacent to every required egress door.
- J. No individual renting a STVR shall use the STVR for a special event, party, or temporary outdoor event. No owner or operator of a STVR shall permit a STVR to be used for a special event, party, or temporary event.
- K. It shall be unlawful to establish, operate, or cause to be operated a STVR in the city within 500 feet of another STVR, bed and breakfast, boarding house, Home stay bed and breakfast residence, hotel/motel, hotel/motel extended stay, personal care home, or child caring institution. Measurements for this subsection shall be made in a straight line without regard to intervening structures or objects, between the closest points on the property lines of the two uses.

Staff recommends **APPROVAL** with the following condition(s):

1. Applicant must comply and remain in compliance with [Sec. 4.2.58. - Short term vacation rental](#);
2. No city permit for the operation of the short-term vacation rental shall be transferable will only be permitted for the owner/operator Joel Burkholder;
3. Applicant must comply and remain in compliance with [ARTICLE VII. - NOISE ORDINANCE](#);
4. Short-term rental units must be properly maintained and regularly inspected by the owner or agent to ensure continued compliance with applicable property maintenance, zoning, building, health, and life safety code provisions.

Joel Burkholder the applicant came to the stand, He currently lives at the home with his family but is now fixing it up so it can become a short-term rental. The house sat vacant for a long time. Parking, noise, and vetting of renters are problems people are usually concerned with. The house is on 3.2 acres of land so there will be no issues with parking, no one under the age of 21 will be able to rent, the duration of stay will be under 30 days and 1-2 night stays will not be allowed, 24-hour surveillance cameras will be in operation on the outside of the property. There will also be smoke and fire monitoring. The pool there will be enclosed for liability's sake. They will be working with local businesses for upkeep.

Commissioner Hawkins asks if he and his family plan on vacating after approval

Joel Burkholder stated that they will not be living there when someone is renting.

Dave Marcus resident of Dekalb 30 years and neighbor came to the stand to speak in support to ask for approval with one condition. He was concerned about parties that people may try to have on the property. He thinks that it should be managed or owner-occupied even while someone is renting.

Joel Burkholder came back to the stand and stated that he has property owners at another property that he owns in Florida and they do not care about the property as much as he the owner does. He will have people on the ground and cameras will watch the property

Commissioer Hawkins moves to Approve this petition it is seconded by Chairman Hubbard and Approved by unanimous vote.

TMOD23-004 Food Truck/Vending

- City-Wide
- Stonecrest Planning and Zoning Department
- Petitioner is seeking to make amendments and updates to Article 19 (Mobile Food Venders) of Chapter 15 (Licenses, Permits and Miscellaneous Business Regulations) and Article 4 (Use Regulations), Article 9 (Definitions/Maps) of Chapter 27 (Zoning Ordinance) regarding Food Trucks/Vending.

Facts and Background

- There are not existing Zoning Regulations for Food Truck with Zoning Ordinance
- Current “Vending Operations Rules” exist in Chapter 15 (Licenses, Permits and Miscellaneous Business Regulations)
- Staff is proposing changes to the Stonecrest’s Ordinance

Amendments to Chapter 15 (Licenses, Permits and Miscellaneous Business Regulations)

Article 19 – Mobile Food Vendors

Division 1. – Generally

Sec. 15.19.1. – Definitions.

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

~~Food truck shall mean 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.~~

~~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.~~

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

What Changed?

- Food Truck

- Removed existing definition and implemented a new definition
- Vending Cart
- Removed existing definition and implemented a new definition

Amendments to Chapter 15 (Licenses, Permits and Miscellaneous Business Regulations)

Sec. 15.19.4. – ~~Vending operational rules: Reserved~~

~~(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.~~



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Planning and Zoning Department

~~C 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.~~

What Changed?

- Removed vending operations rules from Chapter 15 (Licenses, Permits and Miscellaneous Business Regulations)

Amendments to Chapter 27 (Zoning Ordinance)

Revision to the Zoning Ordinance, Chapter 27

Article 3. Overlay District Regulations

Division 1. – Overlay Districts.

3.1.6. – Overlay Use Table.

Land Use	Stonecrest Area Overlay						Interstate 20 Corridor Overlay ^a			Arabia Mountain Conservation Overlay ^a	See Section 4.2
	T1	T2	T3	T4	T5 ^b	T6 ^b	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 "If blank, check underlying zoning use table (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		
COMMERCIAL											
Restaurant/Food Establishments											
Brewpub/Beer growler	P	P	P	P							
Catering establishments	P	P	P	P							
Food Trucks, Mobile Vending/ Food Carts										✓	

What Changed?

- Added Food Trucks, Mobile Vending/Food Carts to the Overlay Use Table

- Permits Food Trucks, Mobile Vending/Food Carts in all Overlay District byway of the underlying zoning district.

Amendments to Chapter 27 (Zoning Ordinance)

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) *Blank = not permitted*																
	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	
COMMERCIAL																										
Recreation and Entertainment																										
Food Trucks, Mobile Vending/ Food Carts													SA			SA	SA	SA	SA	SA						✓

What Changed?

- Added Food Trucks, Mobile Vending/Food Carts to the Use Table
- Permits Food Trucks, Mobile Vending/Food Carts in the following zoning districts with an approved Special Administrative Permit (SA):
 - OI – Office Institutional
 - C-1 – Local Commercial
 - C-2 – General Commercial
 - OD – Office Distribution
 - M – Light Industrial
 - M2 – Heavy Industrial

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 to operate within the city.
2. 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.
3. Food Trucks, Mobile Vending/Food Carts shall maintain and display plainly all current city, Dekalb County, State of Georgia, and federal licenses and shall follow all laws of the state and county health departments, or any other applicable laws.

B. Permitted locations.

1. Allowable districts: 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 Department.
2. Food Trucks, Mobile Vending/Food Carts shall be required to park on paved surfaces.

C. Restricted locations.

1. No Food Trucks, Mobile Vending/Food Carts shall be located within 250 feet of a residential structure(s).
2. 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.



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Planning and Zoning Department

3. Food Trucks, Mobile Vending/Food Carts' vendors shall not be located within 25 feet of any right-of-way, entryway, curb-cut or driveway.
4. 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



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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.

E. 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.

F. Signage.

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

G. Lighting/Noise.

1. Food Trucks, Mobile Vending/Food Carts shall not emit sounds, outcry, speaker, amplifier, or announcements.

H. 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.

What Changed?

- Added supplemental regulations for Food Trucks, Mobile Vending/Food Carts

Article 9. – Definitions/Maps

Sec. 9.1.3. – Defined terms.

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.

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.

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

What Changed?

- Added definitions for the following:
 1. Food Truck
 2. Vending
 3. Vending/Food Cart

Amendments to Appendix A – (Schedule of Fees)

PROPOSED 90 DAY FOOD TRUCK PERMIT			PROPOSED TEMPORARY FOOD TRUCK PERMIT		
Permit Fee	\$350.00	Inside and Outside jurisdiction.	Permit Fee	\$250.00	Inside and Outside jurisdiction.
Approved Period	90 Days	These are 90 designated consecutive days.	Approved Period	3 Days	These are 3 designated consecutive days.
Number of Locations	3	Food Truck can serve up to 3 locations during days of operation.	Number of Locations	2	Food Truck can serve up to 2 locations during days of operation.
Operational Restrictions	3 Days	Food Truck can only operate a maximum of 3 days per week.	Operational Restrictions	3 Days	Food Truck can only operate a maximum of 3 days per week.
Permit Amendments	\$115.00	Updating permit to remove or add a new location.	Permit Amendments	\$115.00	Updating permit to remove or add a new location.

Staff Recommendation(s)-

Approval

Chairman Hubbard asked about the time extension possibilities for some applicants.

Matthew Williams stated that it will be looked at in a case-by-case basis. Generally, the hours will be 7-10.

Chairman Hubbard asks if the city is hosting an event will food trucks still need to get a permit

Director White stated that the city is not excluded.

Commissioner Hawkins asks if there is a definition of the different usages (food cart, bbq pits, etc) If should be added in somewhere so no one can say that the ordinance does not apply to them. He asked for the definitions to be more specific.

He also asks if the property owners have to get permission.

Matthew Williams stated that the notification of property owner approval is a requirement And that they can specify the definition.

Commissioner Walker asks about the different locations where food trucks are usually present.

Chairman Hubbard gave some examples such as the park, during the holidays, etc.

Chairman Hubbard closed public hearing so that they could go into discussion.

Chairman Hubbard agrees that the definition should be edited so citizens will not think they are exempt.

He motioned for approval of the TMOD with Commissioner Hawkins's suggestions. This is seconded by Commissioner Hawkins and **approved** by unanimous vote.

Matthew Willaims asked about the Old Business that was omitted but there was no motion

Chairman Hubbard made a motion to open the public hearing for RZ23-003 . He made a motion to defer the application to the next cycle because the applicant was not present. It was seconded by Chairman Hawkins and **deferred** by unanimous vote.

VII. Announcements:

Matthew Williams Deputy Director stated that this was Director Ray White's last Planning Commission Meeting because he will be retiring.

Chairman Hubbard asks people to Vote

Chairman Hubbard moved to Adjourn. It was **seconded** and **approved by Unanimous Vote**.

Meeting ended at 7:32pm

APPROVED:

Tracy G. Huber

10-3-23

CHAIRMAN

Date

ATTEST:

Cobi Brown

10/4/23

SECRETARY

Date