

**TMOD-22-012**  
**City-Wide (C-1 and C-2 D istricts)**

- **Agenda**
- **Staff Reports**
- **USDA Animal Welfar Act Certificate**
- **Indoor and Outdoor Animal Exhibitions**
- **Attachment 3: Animal List of Suppliers**

**PLANNING COMMISSION MEETING**  
Stonecrest City Hall - 6:00 PM \**In-Person Meeting*  
November 8, 2022



**A G E N D A**

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 their request via email address [kjackson@stonecrestga.gov](mailto:kjackson@stonecrestga.gov) by noon the day of the hearing, November 8, 2022.*

- I. Call to Order**
- II. Roll Call**
- III. Approval of the Agenda**
- IV. Presentations** - Presentation by Deputy Director Keedra Jackson, Planning and Zoning Department on department activities and upcoming cases.
- V. Approval of Minutes** - Planning Commission Meeting Minutes Summary dated October 4, 2022
- VI. Old Business:** N/A

**Public Hearing(s):**

LAND USE PETITION: SLU22-007  
PETITIONER: Tonette Spencer  
LOCATION: 6505 Charter Way, Stonecrest, GA 30058  
PROPOSED AMENDMENT: To seek a special land use permit to operate a short-term rental

LAND USE PETITION: SLU22-008  
PETITIONER: Charmaine Hancock  
LOCATION: 3434 Bleckley Drive, Lithonia, GA  
PROPOSED AMENDMENT: To seek a special land use permit to operate a short-term rental

LAND USE PETITION: SLU22-009  
PETITIONER: Beris and Meveta Henry  
LOCATION: 1805 Spring Hill Cove, Lithonia, GA  
PROPOSED AMENDMENT: To seek a special land use permit for a personal care home

LAND USE PETITION: TMOD-22-012  
PETITIONER: Planning & Zoning Department  
LOCATION: City-Wide (C-1 and C-2 Districts)  
PROPOSED AMENDMENT: To recommended zoning language at the request of the City in response to an applicant, in the City of Stonecrest, who desires to operate an “Animal Exhibition” as defined by the USDA “Animal Welfare Act and Animal Welfare Regulations”.

**VII. Adjournment**



## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

Planning Commission November 8th, 2022 / Mayor and City Council Meeting January 23<sup>rd</sup>, 2022

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### GENERAL INFORMATION

<b>Petition Number:</b>	TMOD- 22-012
<b>Applicant:</b>	Planning & Zoning Dep
<b>Project Location:</b>	C-1 and C-2 Zoning Districts
<b>Proposed Development/Request:</b>	The purpose is to create a conditional use for outdoor and indoor exhibition as defined by USDA to operate as an animal exhibition
<b>Staff Recommendations:</b>	Approval

### Stonecrest Zoning – Indoor Animal Exhibition

The following document includes recommended zoning language at the request of the City in response to an applicant, in the City of Stonecrest, who desires to operate an “Animal Exhibition” as defined by the USDA “Animal Welfare Act and Animal Welfare Regulations”.

#### Recommended Use: *Indoor Animal Exhibition*

Recommended Definition: An *Indoor Animal Exhibition* shall be any person, company or organization displaying any animals in an enclosed structure or building, to the public, for compensation, whether operating for profit or not. This use includes, but is not limited to indoor zoos, petting zoos, educational centers, carnivals, circuses and animal sanctuaries. This use shall not include retail pet stores, owners of domesticated household pets for personal enjoyment, county fairs, livestock shows, purebred dog or cat shows, or other similar events.

**Outdoor Animal Exhibition** means any sanctioned agricultural fair where animals are displayed on the exhibition grounds for physical contact with humans. It involves animal gathering organized for the purpose of comparing and judging the qualities of animals or presenting them for educational purposes and the main purpose of which is not to market “for sale”, but for exhibition; facilities shall include zoos, wildlife or fauna parks, aquariums and museums with live exhibits.



## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

Recommended Zoning District: **C-1 and C-2** are the recommended districts as this is the current location where the applicant, SeaQuest, has been operating as an aquarium and desires to add additional animals other than aquarium-based wildlife.

Recommended Zoning Classification – **Conditional Use**. A special land use permit will allow the city to prescribe use standards to ensure appropriate operation and location and that it does not negatively impact surrounding businesses and residents.

Recommended Supplemental Regulations:

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

1. Be conducted wholly within an enclosed building or structure.
2. Not produce noise, liquids or odors that affects surrounding businesses or property owners.
3. Be properly insured and provide proof of that insurance to the City.
4. Provide written permission from the owner or property manager of the building being occupied 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)).

This license shall be renewed prior to expiration and a copy provided to the City. Upon expiration or non-renewal of the license, the use shall immediately cease operations until a copy of a valid license is provided to the City.

7. The outdoor exhibition shall not exceed 5 hours of display.



## PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

9. Comply with the Georgia The Department of Agriculture Animal Health Division regulations as established in the [Rules and Regulations of the State of GA Chapter 40-13](#).
10. Comply with applicable standards of the Georgia Department of Natural Resources (DNR) for the regulation of non-native 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.
11. 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.
12. 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>).
13. Comply with the Georgia Department of Public Health regulations pertaining to reporting rabies exposure.
14. Comply with DeKalb County requirements for "hazardous animals" as per DeKalb County Code of Ordinances, Chapter 5 – Animals ([https://library.municode.com/ga/dekalb\\_county/codes/code\\_of\\_ordinances?nodeId=CODECO\\_CH5AN](https://library.municode.com/ga/dekalb_county/codes/code_of_ordinances?nodeId=CODECO_CH5AN))



Expiration Date: 11-27-2022

**United States Department of Agriculture**

**Marketing and  
Regulatory  
Programs**

This is to certify that  
SeaQuest Holdings, LLC

is a licensed Class C - Exhibitor  
under the

**Animal Welfare Act**  
(7 U.S.C. 2131 et seq.)

**Animal and  
Plant Health  
Inspection  
Service**

**Animal Care**

Certificate No. 88-C-0216  
Customer No. 502434

A handwritten signature in black ink, appearing to read "Elizabeth Goldstein".

Deputy Administrator

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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)).



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### Attachment 3: Animal List & Suppliers

Common Name	Scientific Name	Quantity, Sex, Age (M.F.unknown)	Source/Supplier
Channel-billed Toucan	<i>Ramphastos vitellinus</i>	1.1.0 ~10 months	Birdland San Diego (619-541-2903, birdlandsandiego.com)
Crested Porcupine	<i>Hystrix cristata</i>	1.1.0 Male: ~8 month Female: ~2 years	Female from: SeaQuest Lynchburg (3405 Candler's Mountain Road Suite A32, Lynchburg, VA 24502)  Male from: Paradise Farms (2754 Paradise Valley Rd., Cleveland, GA 30528)
Kinkajou	<i>Potos flavus</i>	2.0.0 ~12 months	Wild Acres Ranch (1115 Martins Point Road, Sandusky, OH 44870)
Patagonian Cavy	<i>Dolichotis patagonum</i>	0.1.1 Adult (ages unknown)	Wild Acres Ranch (1115 Martins Point Road, Sandusky, OH 44870)
Prairie Dogs	<i>Cynomys ludovicianus</i>	1.2.0 Adult (ages unknown)	Underground Reptiles (151 N Powerline Road, Deerfield Beach, FL 33442)
Two-toed Sloth	<i>Choloepus didactylus</i>	0.0.2 Adult (ages unknown)	Underground Reptiles (151 N Powerline Road, Deerfield Beach, FL 33442)
Bennett's Wallaby	<i>Macropus rufogriseus</i>	2.1.0 ~12 month, ~14 month, ~16 month	Rebecca Krebs (wingsnspots@gmail.com)
Three Banded Armadillo	<i>Tolypeutes tricinctus</i>	1.0.0 Unknown	Unknown supplier

Attachment 3: Animal List, Initial Suppliers, and Transport

<b>Common Name</b>	<b>Scientific Name</b>	<b>Quantity, Size/Age</b>	<b>Source/Supplier</b>	<b>Animal Transport</b>
Channel Catfish	<i>Ictalurus punctatus</i>	~120, unknown size/age	Aquatic Environmental Services, Inc. (2050 Howell Bridge Road, Ball Ground, GA 3010)	Motor vehicle (by SeaQuest or Aquatic Environmental Services employee)
Largemouth Bass - Northern strain, Fx Strain	<i>Micropterus salmoides</i>	50, unknown size/age		
Brown Bullhead Catfish	<i>Ameiurus nebulosus</i>	~50		