

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 3 & 6

Application of the Director of Planning and Sustainability to amend Section 27-3.39.3 (Permitted Uses and Structures), Section 27-9.1.3 (Definitions), and create Section 27-3.39.8 (Supplemental Regulations) of the Bouldercrest-Cedar Grove-Moreland Overlay District.

PETITION NO: D1. TA-20-1244234 2020-1175

PROPOSED USE: Text amendment for various land uses in Tiers 2, 4 and 4a.

LOCATION: Bouldercrest-Cedar Grove-Moreland Overlay District

PARCEL NO. : N/A

INFO. CONTACT: John Reid, Sr. Planner

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PURPOSE:

Application of the Director of Planning and Sustainability to amend Section 27-3.39.3 (Permitted Uses and Structures) of the Bouldercrest-Cedar Grove-Moreland Overlay District to modify, add, or delete permitted land uses, prohibited land uses, land uses allowed by Special Land Use Permit, and land uses allowed by Special Administrative Permit, and to amend Section 27-9.1.3 (Definitions) to create definitions including major truck repair, minor truck repair, self-storage mini, and self-storage multi, and to create Section 27-3.39.8 (Supplemental Regulations) to create Supplemental Regulations for various land uses within the Bouldercrest-Cedar Grove-Moreland Overlay District, and for other purposes. The properties are located within the boundaries of the Bouldercrest-Cedar Grove-Moreland Overlay District.

RECOMMENDATION:

COMMUNITY COUNCIL: (2/10/2021) Denial. (10/14/2020) Denial.

PLANNING COMMISSION: (3/2/2021) Pending. (11/5/2020) 2-Cycle Deferral.

PLANNING STAFF: Withdrawal without prejudice.

STAFF ANALYSIS: See Attached Staff Report.

PLANNING COMMISSION VOTE: (3/2/2021) Pending. (11/5/2020) Two-Cycle Deferral 8-0-0. V. Moore moved, P. Womack, Jr. seconded for a 2-Cycle Deferral to the March 2021 zoning agenda.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (2/10/2021) Denial 6-1-0. The Community Council Board considers the changes proposed in the text amendment to be detrimental to the residential neighborhoods in the Bouldercrest-Cedar Grove-Moreland Overlay District. **(10/14/2020) CC-3: Denial 6-0-0.** CC-3 board and affected residents spoke of the negative impacts of trucking companies and industries, and truck traffic on adjoining and nearby residential neighborhoods. They want trucking and industries to be subject to SLUPs in Tiers 2 and 4, and want truck stops and terminals to be prohibited in Tier 4-A



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Planning Commission Hearing Date: March 2, 2021
Board of Commissioners Hearing Date: March 25, 2021

TEXT AMENDMENT ANALYSIS

AGENDA NO.: D1 **ZONING CASE NO.:** TA-20-1244234 **COMMISSION DISTRICTS:** 3 & 6

APPLICANT: DeKalb County Board of Commissioners

SECTIONS OF ZONING ORDINANCE AFFECTED BY AMENDMENTS: SECTION 27-3.39.3 (PERMITTED USES AND STRUCTURES –BOULDERCREST OVERLAY DISTRICT LAND USE TABLE), SECTION 27-9.1.3 (DEFINITIONS), SECTION 27-3.39.8 (SUPPLEMENTAL REGULATIONS—BOULDERCREST OVERLAY DISTRICT)

REASON FOR REQUEST:

The Bouldercrest-Cedar Grove-Moreland Overlay District establishes standards and procedures that apply to any development, use, alteration, or redevelopment on any lot or portion thereof within its boundaries. The overlay district takes precedence over the underlying zoning district regulations. The intent of these text amendments is to enhance the long-term economic viability of the overlay district while protecting surrounding properties. The proposed amendments only impact Tiers 2, 4, and 4a which are the industrial/heavy commercial tiers of the overlay district (See attached *Land Use Table*). There are no proposed changes to any of the other tiers including Tier 5 which is the residential tier.

TIER 2: Tier 2 is a moderate-intensity, light industrial-zoned area centered at the Moreland Avenue and Cedar Grove Road intersection which contains many auto and truck-related businesses. Consistent with the tier’s character, staff is proposing that Major and Minor Truck and Auto Repair be allowed as a permitted use by right. Additionally, staff is creating definitions and supplemental regulations (See attached *Bouldercrest Supplementals*) for *Major and Minor Truck Repair* (repair of semi-trailers). Proposed supplemental regulations include many of the existing supplemental regulations for auto repair, with some modifications to address semi-tractor trailer repair including a 14-foot high fence to screen trucks stored overnight in the side or rear yard, a minimum number of semi-tractor parking spaces, minimum dimensions of parking spaces and driveway aisles to prevent trucks from having to back into adjacent roadways to maneuver, required employee parking areas, and prohibition of gasoline sales. *Bus/rail stations* are proposed to be allowed as a Special Land Use Permit (SLUP) due to its potential traffic/noise/visual impacts if developed on large land areas, and multi-story self-storage is proposed to be allowed as a SLUP due to its potential building height impacts. Definitions and supplemental regulations for *Self-storage mini* (one-story with exterior access) and *Self-storage multi* (multi-story accessed only from the interior) are also being created and include, but are not limited to architectural standards and required landscape buffers. *Self-storage, mini* is proposed to be a prohibited use in this tier since these are typically less attractive and more appropriate in heavier industrial locations. *Day spas* are proposed to be prohibited in all tiers of the overlay district due to previous code enforcement issues.

TIER 4 (GATEWAY 2 AND CORRIDOR 2):

Tier 4 is the existing industrial zoned area along Moreland Avenue that contains auto and truck-related businesses as well as warehousing and light manufacturing uses, and the intent of this tier is to encourage the redevelopment of industrial properties at higher design standards. Since this tier is the heavier industrial tier of the overlay district, Staff is proposing that the following uses be allowed as a permitted use by right: *Auto Rental and Leasing facilities, Self-Storage Mini and Self-Storage Multi, and Intermodal Freight Terminals.*

TIER 4a: Tier 4(a) is the industrial area along the east side of I-675 and south of Henrico Road, and is only separated from the single-family residential areas to the east by an existing Georgia Power Overhead Utility Easement. Therefore, land uses and development standards should be more stringent in this tier. To help ensure compatibility with the nearby residential areas, staff is proposing that the following land uses be prohibited in Tier 4a due to their potential visual or noise impacts related to outdoor activities: *Truck Stop or Terminal, Auto Rentals and Leasing, Special Trade Contractor, Bus/rail stations, Intermodal Freight Terminal, and Self-Storage Mini.* While *Self-Storage, Multi* (multi-story with interior access only) is the more attractive self-storage and will require architectural standards

Sec. 3.39.3. - Permitted uses.

The authorized principal uses of land and structures are as follows:

A. *Table of uses.* The principal uses of land and structures allowed in each tier, gateway and corridor are specified in The Bouldercrest-Cedar Grove-Moreland Overlay District Table of Uses ("table of uses"). In addition, the table of uses also specifies the following: (1) uses allowed only with an administrative permit from the director of planning and sustainability; (2) uses allowed only with a special land use permit (SLUP) from the board of commissioners; and (3) specifically prohibited uses. If a use is not listed in the table of uses, it is not allowed. The director of planning and sustainability shall be the final authority to determine whether any proposed use of property is permitted by the table of uses, except where a SLUP is required. In cases where a SLUP is required, the board of commissioners shall determine if the use is permitted. In the case of a conflict with underlying zoning district regulations, permitted uses specified in the table of uses govern. In regard to Corridor 2 only, the director of planning and sustainability has authority to grant an administrative variance from the authorized uses and restrictions contained in the table of uses, so as to avoid unintended and unnecessary limitations on the use of industrial zoned property that is distant and not visible from Moreland Avenue.

B. *Mixed-use developments.* Mixed-use developments shall consist of two (2) or more different uses that include both authorized primary residential and non-residential uses, with residential uses not to exceed seventy (70) percent of the total development floor area in a single structure.

C. *Nuisance restrictions.* Principal uses authorized in the table of uses are not authorized to engage in outdoor operations between 10:00 p.m. and 6:00 a.m. that are likely to create noise and/or odor(s) that would disturb occupants of nearby properties.

D. *Open space standards and requirements.* Publicly accessible open space is required in Tiers 1, 2 and 3 for all new developments, and is required in Tier 5 only when the new development consists of ten (10) or more new lots, as follows:

1. A minimum of twenty (20) percent of the total land area of the new development shall be dedicated as usable open space for each new multi-family, commercial or mixed-use development. Publicly accessible open space areas may be transferred from one (1) parcel to another within developments that remain under unified control of a single property owner or group of owners, but must demonstrate inter-connectedness of public areas.

2. Publicly accessible open spaces shall be consistent with standards of the Americans with Disability Act (ADA) and be directly accessible from a public sidewalk and from primary entrances of adjacent buildings.

3. Publicly accessible open space that is provided as part of a new development shall provide connectivity to adjacent existing or planned public amenities including, but not limited to, sidewalks, trail networks, and active or passive park facilities.

4. Publicly accessible open spaces may include any combination of the following: planted areas, fountains, parks, plazas, trails and/or paths, hardscape elements related to sidewalks and plazas, and similar features which are located on private property and accessible to the general public. Required buffers (including, but not limited to stream buffers), flood plain areas, building setbacks and parking areas shall not be included in any calculations for satisfying open space requirements.
5. Private courtyards and outdoor amenities shall not be counted toward the twenty (20) percent publicly accessible open space requirement.
6. The installation and construction of all required open space improvements shall be completed prior to issuance of a certificate of occupancy for the primary structure.
7. As a part of the application for a building permit within the district, each applicant shall present a legal mechanism under which all land to be used for publicly accessible open space purposes shall be maintained and protected by the property owner and subsequent owners, at no cost to the county. Such legal mechanism may include deed restrictions, property owner associations, common areas held in common ownership or control, maintenance easements, or other legal mechanisms, provided that said legal mechanism shall be approved by the county attorney to ensure compliance with each of the following mandatory requirements:
 - a. All subsequent property owners shall be placed on notice of this development restriction through the deed records maintained in the DeKalb County Superior Court;
 - b. All publicly accessible open space held in common ownership will be properly maintained and insured with no liability or maintenance responsibilities accruing to the county. A mechanism for providing notice of maintenance deficiencies, required correction of the deficiencies, and assessments and liens against the property and property owners for the cost of the correction of the deficiencies, must be provided;
 - c. The property owners' association shall create and provide evidence of the following: mandatory and automatic membership in the property owners' association as a requirement of property ownership; a fair and uniform method of assessment for dues, maintenance and related costs; and continued maintenance of publicly accessible open space held in common and liability through the use of liens or other means in the case of default.

([Ord. No. 15-06](#), 8-25-2015)

**BOULDERCREST-CEDAR GROVE-MORELAND OVERLAY DISTRICT
TABLE OF USES**

LEGEND:

YES = Permitted Use

NO = Prohibited Use

SP = Allowed with Special Land Use Permit ("SLUP") Granted by the DeKalb County Board of Commissioners

SA = Allowed With Special Administrative Permit from the Director of the Department of Planning and Sustainability

MX = Mixed Use Development

DESCRIPTION OF USES:	TIER 1 GATEWAY 1	TIER 2	TIER 3	TIERS 4 & 4A. GATEWAY 2 CORRIDOR 2	TIER 5 CORRIDOR 1
MIXED USE DEVELOPMENT					
Mixed use development (MX) shall include two or more different uses that include both permitted primary residential and nonresidential uses with residential not to exceed seventy percent (70%) of the total development floor area in a single structure.	YES	NO	YES	NO	NO
AGRICULTURAL					
<i>AGRICULTURE & FORESTRY:</i>					
Agricultural produce stand, off-site	SA	SA	SA	YES	NO
Agricultural produce stand, on-site	NO	NO	NO	NO	NO
Agricultural crop production, processing and product storage	NO	NO	NO	NO	NO
Commercial greenhouse or plant nursery	NO	YES	NO	YES	NO
Community garden	SA	SA	SA	NO	SA
Temporary or portable sawmill	NO	NO	NO	NO	NO

<i>ANIMAL ORIENTED AGRICULTURE:</i>					
Dairy	NO	NO	NO	NO	NO
Grazing and pasture land	NO	NO	NO	NO	NO
Keeping of livestock	NO	NO	NO	NO	NO
Keeping of poultry/pigeons	NO	NO	NO	NO	NO
Kennels (Commercial)	NO	NO	NO	NO	NO
Kennels (Non-commercial)	NO	NO	NO	NO	NO
Livestock sales pavilion	NO	NO	NO	NO	NO
Riding academies and stables	NO	NO	NO	NO	NO
RESIDENTIAL					
<i>DWELLINGS:</i>					
Dwelling, cluster home	YES	NO	YES	NO	NO
Dwelling, mobile home	NO	NO	NO	NO	NO
Dwelling, multi-family	YES	NO	NO/unless MX	NO	NO
Dwelling, multi-family age restricted, 55 and over	YES	NO	YES	NO	NO
Dwelling, multi-family supportive living	YES	NO	YES	NO	NO
Dwelling, single-family (accessory, owner-occupied additional dwelling)	YES	NO	YES	NO	NO
Dwelling, single family (attached)	YES	NO	YES	NO	NO
Dwelling, single-family (detached)	NO	NO	NO	NO	YES

Dwelling, three family	NO	NO	NO	NO	NO
Dwelling, two-family	NO	NO	NO	NO	NO
High-rise apartment	NO	NO	NO	NO	NO
Home occupation (type I) - No customer contact	YES	NO	YES	NO	YES
Home occupation (type II) - Customer contact	YES	NO	YES	NO	SP
Live work unit	YES	NO	YES	NO	NO
Mobile home park	NO	NO	NO	NO	NO
<i>LODGING:</i>					
Bed & breakfast inn	YES	NO	YES	NO	SP
Boarding/rooming house	NO	NO	NO	NO	NO
Convents and monasteries	NO	NO	NO	NO	NO
Dormitory	NO	NO	NO	NO	NO
Extended stay hotel/motel	NO	NO	NO	NO	NO
Fraternity house or sorority house	NO	NO	NO	NO	NO
Home stay bed and breakfast	YES	NO	YES	NO	NO
Hotel/Motel with exterior access to rooms	NO	NO	NO	NO	NO
Hotel/Motel with only interior access to rooms	YES	YES	NO	YES	NO
Nursing or convalescent home/hospice	YES	NO	NO	NO	NO
Personal care home, community	NO	NO	NO	NO	NO

Personal care home, group	NO	NO	NO	NO	NO
Senior housing	YES	NO	YES	NO	NO
Shelter for homeless persons	NO	NO	NO	NO	NO
Shelter for homeless persons for no more than six (6) persons	NO	NO	NO	NO	NO
Transitional housing facility	NO	NO	NO	NO	NO
Transitional housing facility for no more than six (6) persons	NO	NO	NO	NO	NO
INSTITUTIONAL/PUBLIC					
<i>COMMUNITY FACILITIES:</i>					
Cemetery, columbarium, mausoleum	NO	NO	NO	NO	NO
Coliseum or stadium/gymnasium	NO	NO	NO	NO	NO
Fraternal club or lodge	YES	YES	NO	NO	NO
Funeral home, mortuary	YES	NO	NO	NO	NO
Golf course and clubhouse, public and private	NO	NO	NO	NO	NO
Hospital and accessory ambulance service	YES	YES	NO	NO	NO
Library	YES	NO	YES	NO	NO
Museums and cultural facilities	YES	NO	YES	NO	NO
Neighborhood recreation club (center-pool allowed)	YES	NO	YES	NO	NO
Non-commercial clubs or lodge (except fraternal club or lodge)	NO	NO	NO	NO	NO

Parks and open space	YES	YES	YES	YES	NO
Post Office	YES	YES	YES	NO	NO
Places of worship	SP	SP	SP	NO	NO
Recreation, outdoor	YES	NO	NO	NO	NO
Swimming pools	YES	NO	YES	NO	YES
Temporary art shows, carnival rides and special events of community	SA	SA	SA	SA	NO
Temporary outdoor social, religious, entertainment or recreation activity	SA	SA	SA	SA/4a-NO	NO
Temporary rodeos, horse shows, carnivals, athletic events and community fairs	SA	SA	NO	SA	NO
Tennis courts and other play and recreation areas, public	YES	NO	YES	NO	YES
<i>EDUCATION:</i>					
Colleges, universities (research and training facilities) and accessory dormitories	YES	YES	NO	NO	NO
Private kindergarten, elementary middle and high schools	YES	NO	YES	NO	NO
Specialized degree or non-degree school focusing on fine arts and culture, to include ballet, music, martial arts and sports	YES	NO	YES	NO	NO
Vocational and specialized schools	YES	YES	YES	YES	NO
COMMERCIAL					
<i>AUTOMOBILE, BOAT AND TRAILER SALES AND SERVICE:</i>					

Automobile and truck rental and leasing facilities	NO	YES	NO	#VALUE! YES/4a NO	NO
Automobile/truck broker, office only	YES	YES	YES	YES	NO
Automobile/truck parking lots or parking garages, commercial	NO	YES	NO	YES	NO
Automobile/truck repair and maintenance (minor)	SP	SP YES	NO	YES/4a NO	NO
Automobile repair and paint (major)	NO	SP YES	NO	YES/4a NO	NO
Automobile sales and truck sales (new and used dealerships)	NO	YES	NO	YES/4a NO	NO
Automobile service stations, including gasoline sales	SP	SP	SP	YES	NO
Automobile upholstery shop	NO	YES	NO	YES	NO
Automobile wash/wax centers	YES	YES	NO	YES	NO
Boat sales	NO	YES	NO	YES	NO
Retail automobile parts and tire store	YES	YES	NO	YES	NO
Self-service car wash and detailing	NO	NO	NO	NO	NO
Tire store where the majority of the tires offered for sale are used tires	NO	NO	NO	NO	NO
Trailer salesroom and sales lot	NO	YES	NO	YES/4a NO	NO
Truck repair, major	NO	NO YES	NO	YES/4a NO	NO
Truck stop, service station including sales of	NO	SP	NO	YES/4a NO	NO

gasoline					
<i>OFFICE:</i>					
Accounting office	YES	YES	YES	YES	NO
Building and construction office, including offices for general, heavy and special trade contractors	YES	YES	YES	YES	NO
Engineering and architecture office	YES	YES	YES	YES	NO
Finance office	YES	YES	YES	YES	NO
Insurance office	YES	YES	YES	YES	NO
Legal office	YES	YES	YES	YES	NO
Medical office	YES	YES	YES	YES	NO
Real estate office	YES	YES	YES	YES	NO
<i>RECREATION AND ENTERTAINMENT:</i>					
Adult entertainment establishments	NO	NO	NO	NO	NO
Adult service facility	NO	NO	NO	NO	NO
Drive-in theater	NO	NO	NO	NO	NO
Fairground and amusement park	NO	NO	NO	NO	NO
Indoor recreation (bowling alleys, movie theaters & other activities wholly indoors)	YES	YES	YES	YES	NO
Nightclub and/or late night establishment	NO	NO	NO	NO	NO
Special events facility	YES	NO	SP	NO	NO
Theaters, assembly or concert halls, or similar	YES	NO	YES	NO	NO

entertainment within enclosed building					
<i>RETAIL:</i>					
Adult materials	NO	NO	NO	NO	NO
Apparel and accessories store	YES	YES	YES	NO	NO
Art gallery and art supply store and art theatre	YES	YES	YES	NO	NO
Book, greeting card, and stationery store	YES	YES	YES	NO	NO
Camera and photographic supply store	YES	YES	YES	NO	NO
Commercial greenhouse or plant nursery	YES	YES	NO	NO	NO
Computer and computer software store	YES	YES	YES	NO	NO
Convenience store	YES	YES	YES	NO	NO
Drive-through facilities	SP	SP	NO	NO	NO
Farm and garden supply store	YES	YES	YES	NO	NO
Farmer's market, permanent	YES	NO	NO	NO	NO
Farmer's market, temporary	SA	NO	SA	NO	NO
Florist	YES	YES	YES	NO	NO
Food stores, including bakeries	YES	YES	YES	NO	NO
Fuel dealers, manufacturers and wholesalers	NO	YES	NO	YES/NO 4a	NO
General merchandise store	YES	YES	YES	NO	NO
Gift, novelty and souvenir store	YES	YES	YES	NO	NO
Gold and precious metal buying	NO	NO	NO	NO	NO

establishments					
Grocery stores including bakery	YES	YES	YES	NO	NO
Hardware store and other building materials (larger = > 25,000 square feet of floor area)	YES	YES	NO	YES	NO
Hardware store and other building materials (neighborhood under 25,000 square feet of floor area)	YES	YES	YES	YES	NO
Hobby, toy and game store	YES	YES	YES	NO	NO
Jewelry store	YES	YES	YES	NO	NO
Music and music equipment store (retail)	YES	YES	YES	NO	NO
News dealer and newsstand	YES	YES	YES	NO	NO
Office supplies and equipment store	YES	YES	YES	NO	NO
Outdoor open sales and flea market	NO	NO	NO	NO/T4-YES	NO
Paint, glass and wall paper store	YES	YES	YES	YES	NO
Pawn shop, title loan	NO	SP	NO	NO/G2-SP	NO
Pet supply store	YES	YES	YES	NO	NO
Pharmacy and drug store	YES	YES	YES	NO	NO
Radio, television and consumer electronics store	YES	YES	YES	NO	NO
Retail automobile parts and tire store	YES	YES	YES	NO	NO
Retail, large scale at least 75,000 square feet (see also shopping center)	SP	NO	NO	NO/G2 YES	NO
Retail liquor store	SP	SP	NO	NO/G2-SP	NO

Retail warehouses/wholes providing sales of merchandise with no outdoor storage	NO	YES	NO	NO/G2, 4a YES	NO
Shopping center A223	YES	YES	YES	NO	NO
Specialty store	YES	YES	YES	NO	NO
Sporting goods and bicycle sale	YES	YES	YES	NO	NO
Telephone, retail and/or business office	YES	YES	YES	YES	NO
Temporary outdoor sales of merchandise as an accessory to on-site principal use	SA	SA	SA	SA	NO
Temporary outdoor sales of Christmas trees, pumpkins or other seasonal sales	SA	SA	SA	SA	NO
Thrift and consignment store, which is an establishment selling pre-owned	NO	NO	NO	NO	NO
Trade shops, including electrical, plumbing, heating/cooling, and roofing/siding, having no outside storage	YES	YES	NO	YES	NO
Variety store	YES	YES	YES	NO	NO
Video tape sales and rental store	NO	NO	NO	NO	NO
<i>RESTAURANTS/FOOD ESTABLISHMENTS:</i>					
Brewpub	YES	YES	YES	SP	NO
Catering establishments	YES	YES	NO	YES	NO
Restaurants (non-drive-through)	YES	YES	YES	YES	NO
Restaurants with a drive-through configuration	SP	SP	NO	SP	NO
<i>TRANSPORTATION AND STORAGE:</i>					

Bus and rail stations and terminals for passengers, publically owned and run	YES	YES SP	NO	YES/4A NO	NO
Heliport	SP	SP	SP	SP	NO
Parking, commercial lot	NO	YES	NO	YES	NO
Parking, commercial garage	NO	NO	NO	NO	NO
Taxi stand and dispatching office with no permanent car storage	NO	YES	NO	YES	NO
Taxi stand and dispatching office with permanent car storage	NO	YES	NO	YES	NO
<i>SERVICES:</i>					
Adult day care center	NO	NO	NO	NO	NO
Adult day care facility	YES	NO	YES	NO	NO
Animal hospitals, veterinary clinic, boarding, with indoor runs only	YES	YES	YES	YES	NO
Animal shelter/rescue center	NO	NO	NO	NO	NO
Banks, credit unions and other similar financial institutions	YES	YES	YES	YES	NO
Barbers shop, beauty salon, nail salon and day spa	YES	YES	YES	YES	NO
Breeding kennel	NO	NO	NO	NO	NO
Check cashing establishment Primary	NO	SP	NO	NO	NO
Child caring institution, group	NO	NO	NO	NO	NO
Child day care center (Kindergarten)	YES	YES	YES	NO	NO

Child day care facility	YES	YES	YES	NO	NO
Child caring institution, community	NO	NO	NO	NO	NO
Coin laundry/self service laundry, only with hours 7:00 a.m.-10:00 p.m. & attendant on duty	SP	SP	NO	NO	NO
Dog day care, indoor runs only	YES	YES	YES	YES	NO
Dog grooming, indoor runs only	YES	YES	YES	YES	NO
Dry cleaning agencies, pressing establishments, and laundry pick-up service	YES	YES	YES	NO	NO
Fitness center	YES	YES	YES	NO	NO
Kennel (commercial)	NO	NO	NO	NO	NO
Landscape business	NO	YES	NO	YES	NO
Personal services establishment	NO	NO	NO	NO	NO
Photoengraving, typesetting, electrotyping	NO	YES	NO	YES	NO
Photographic studios	YES	YES	YES	NO	NO
Plumbing, heating and air-conditioning equipment establishments and other contractors having no outdoor storage	YES	YES	NO	YES	NO
Production studio for movie, television and/or music	NO	YES	NO	YES	NO
Publishing and printing establishments	YES	YES	YES	YES	NO
Tattoo establishment	NO	NO	NO	NO	NO
Quick copy, printing store	YES	YES	YES	NO	NO

<i>SERVICES, MEDICAL AND HEALTH:</i>					
Ambulance service and emergency medical services, private	YES	YES	NO	YES	NO
Blood collection center, donation only	YES	NO	NO	NO	NO
Health services clinic	YES	YES	YES	YES	NO
Home healthcare service	YES	NO	YES	NO	NO
Kidney dialysis center	YES	NO	NO	NO	NO
Medical and dental laboratories	YES	YES	NO	YES	NO
<i>SERVICES, REPAIR:</i>					
Furniture upholstery and repair shop, home appliance repair and service, with no outdoor storage or display	YES	YES	NO	YES	NO
Personal service, repair (watch and jewelry), with no outdoor storage	YES	YES	YES	NO	NO
INDUSTRIAL					
Alcohol or alcoholic beverage manufacturing, providing noise and odors are restricted per zoning and environmental codes	NO	YES	NO	YES	NO
Automobile and truck manufacturing	NO	YES	NO	NO/T4-YES	NO
Biomedical waste disposal facility, disposal facility, landfill, materials recovery center, solid waste landfill, private industry solid waste disposal facility, recovered materials processing facility, solid waste handling facility, solid waste thermal treatment technology facility, and disposal facility for hazardous and/or toxic materials including radioactive	NO	NO	NO	NO	NO

materials					
Brick, clay, tile or concrete products, terracotta manufacturing	NO	NO	NO	NO/T4-YES	NO
Building materials and lumber supply establishment	YES	YES	NO	YES	NO
Cement, lime, gypsum or plaster of Paris manufacturing	NO	NO	NO	NO	NO
Chemical manufacture, organic or inorganic	NO	NO	NO	NO	NO
Contractor, general	NO	YES	NO	YES	NO
Contractor, heavy construction	NO	NO	NO	NO/T4-YES	NO
Contractor, special trade	NO	NO	NO	YES/4A-NO	NO
Crematoriums	NO	NO	NO	NO/T4-YES	NO
Distillation of bones and glue manufacture	NO	NO	NO	NO	NO
Dry cleaning plant	NO	YES	NO	YES	NO
Dye works	NO	NO	NO	NO	NO
Explosive manufacture or storage	NO	NO	NO	NO	NO
Fabricated metal manufacture	NO	YES	NO	YES	NO
Fat rendering and fertilizer manufacture	NO	NO	NO	NO	NO
Fuel and ice dealers, manufacturers and wholesalers	NO	YES	NO	YES	NO
General aviation airport	NO	NO	NO	NO	NO
Heavy equipment repair service	NO	NO	NO	NO/T4-YES	NO

Ice manufacturing plant	NO	YES	NO	YES	NO
Incidental retail sales of goods produced and processed on the premises	YES	YES	YES	YES	NO
Incineration of garbage or refuse when conducted within an enclosed plant	NO	NO	NO	NO	NO
Industrial establishments engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning or assembly of goods, merchandise or equipment, or the wholesale or distribution of said goods, merchandise or equipment	NO	YES	NO	YES	NO
Industrial or business service activities which utilize, manufacture or process radioactive materials which emit or could emit radioactive levels of one thousand (1,000) curies or more and are licensed by the radiological health division of the Georgia Department of Human Resources	NO	NO	NO	NO	NO
Intermodal freight terminal, bus or rail freight or passenger terminal, or truck terminal	NO	SP	NO	YES NO/4a- YES NO	NO
Leather manufacturing and processing	NO	NO	NO	NO	NO
Light malt beverage manufacturer	NO	YES	NO	YES	NO
Light manufacturing establishment	NO	YES	NO	YES	NO
Manufacturing operations not housed within a building	NO	NO	NO	NO/T4-YES	NO
Mines and mining operations, quarries, asphalt plants, gravel pits and sand pits	NO	NO	NO	NO	NO
Mini-warehouse and storage buildings, with only inside access to storage units and only if	YES	NO	NO	YES/4a SP	NO

climate-controlled Self-storage/multi					
Self-storage/mini	NO	NO	NO	YES/4a NO	NO
Paper and pulp manufacture	NO	NO	NO	NO	NO
Petroleum or Inflammable liquids production, refining	NO	NO	NO	NO	NO
Railroad car classification yards and team truck yards	NO	NO	NO	NO	NO
Recycling plant, indoor	NO	NO	NO	YES/G1-NO	NO
Recycling plant with any outdoor activities or outdoor storage	NO	NO	NO	NO/T4-SP	NO
Repair and manufacture of clocks, watches, toys, novelties, electrical appliances, electronic devices, light sheet metal products, mining equipment, machine tools, and machinery not requiring the use of press punch over 100 tons rated capacity or drop hammer	NO	YES	NO	YES	NO
Research, experimental or testing laboratories	NO	SP	NO	YES	NO
Rubber and plastics manufacture	NO	NO	NO	NO	NO
Salvage yard (Junkyard)	NO	NO	NO	NO	NO
Smelting of copper, iron, zinc or ore	NO	NO	NO	NO	NO
Storage yard	NO	NO	NO	NO/T4-SP	NO
Storage yard for damaged or confiscated vehicles	NO	NO	NO	NO	NO
Sugar refineries	NO	NO	NO	NO	NO

Tire retreading & recapping establishment with NO outdoor storage	NO	YES	NO	NO/T4-YES	NO
Towing and wreckage service if wrecked/non-running vehicles are at rear of property, storage area is no greater than ½ acre, and wrecked/non-running vehicles must be screened from public view behind a fence	NO	SP	NO	SP	NO
Transportation equipment manufacture	NO	NO	NO	SP	NO
Transportation equipment storage and maintenance (vehicle) if wrecked/non-running vehicles are at rear of property, storage area is no greater than ½ acre in Tier 2, and wrecked/non-running vehicles must be screened from public view behind a fence	NO	SP	NO	YES	NO
Truck stop or terminal	NO	YES	NO	YES/4A- NO	NO
Waste oil transfer station, applicant must present a plan showing antipollution safe guards that satisfy the Commission	NO	NO	NO	NO/T4-SP	NO
Warehousing and storage	NO	YES	NO	YES	NO
COMMUNICATION-UTILITY					
Amateur radio service and antenna	YES	YES	NO	YES	NO
Communication equipment and temporary utility structures	SA	SA	SA	SA	NO
Electric transformer station, gas regulator station and telephone exchange	NO	NO	NO	NO/T4-YES	NO
Public utility facilities	NO	NO	NO	YES	NO
Radio and television broadcasting studio	YES	YES	NO	YES	NO

Radio and television broadcasting transmission	SP	SP	NO	SP	NO
Telecommunications facility/tower and alternative antenna	SP	SP	SP	SP/T4-YES	NO
Telecommunications antenna on existing tower	SA	SA	SA	SA	SA
Utility structures for the transmission or distribution of services	SA	SA	SP	SP/T4-YES	SP

DRAFT

BOULDERCREST OVERLAY DISTRICT TEXT AMENDMENT
SUPPLEMENTAL REGULATIONS AND DEFINITIONS

MAJOR AND MINOR TRUCK REPAIR DEFINITIONS

Proposed Zoning Definition of Major Truck Repair: A business that services tractor-trailers and semi-trailers including the dismantling and repair of engines, transmissions, carburetors, drive shafts, and similar major vehicle parts, the provision of collision repair services including body frame straightening and body part replacement, or the painting or re-painting of tractor trailers and semi-trailers. Major truck repair establishments may also perform minor truck repairs.

Proposed Zoning Definition of Minor Truck Repair: A business that repairs, replaces, or services tires, ignitions, hoses, spark plugs, and other minor vehicle parts as part of the regular upkeep of tractor trailers and semi-trailers, and may perform regular maintenance such as brake repair and replacement, lubrication, or replacement of small or incidental automobile parts. Minor truck repair and maintenance may also, as an accessory function, include detailing, including the application of paint protectors, the cleaning or polishing of a vehicles interior, exteriors, or engine, and the installation of aftermarket parts and accessories such as tinting, alarms, sound systems, or headlight covers. Minor truck repair and maintenance does not include the dismantling and repair of engines, transmissions, or drive shafts, the provision of collision repair services including body frame straightening and body part replacement, or the painting or re-painting of tractor trailers and semi-trailers.

Proposed Supplemental Regulations Heading in Bouldercrest Overlay District 3.39.8.0

Proposed Major Truck Repair Supplemental Regulations 3.39.8.1. Major Truck Repair establishments shall meet the following:

1. Upon the minor redevelopment of existing buildings or structures, as defined in Section 8,1,16, that also requires a land development permit or building permit, the director or his/her designee may require additional improvements to landscaping, signage, parking lots, sidewalks, or building facades. Any minor redevelopment of existing structures, buildings, and physical appurtenances is permitted by right if such changes result in greater conformity with the specifications of this section.
2. Establishments shall not be permitted on property located within three hundred (300) feet of any property used for a school, park, playground or hospital.
3. All truck repair activities must be contained entirely within an enclosed building. For purposes of determining whether a building is enclosed, the use of open overhead bay doors that can be closed after business hours shall be permitted.
4. Trucks awaiting service shall be parked on-site. If stored overnight, they shall be stored inside an enclosed building or in the side or rear yard enclosed with an opaque fence made of masonry or wood and at least fourteen (14) feet in height.

5. Outdoor displays of merchandise shall be prohibited beyond ten (10) feet from the primary building and shall only be displayed during business hours.
6. Overnight outdoor storage of any materials, equipment, tires, or rims is prohibited.
7. New facilities must be designed with truck bays facing away from the primary street frontage.
8. Junk vehicles shall not be stored on the property.
9. A minimum of ten (10) spaces shall be provided to accommodate employee parking. In tiers where parking in front of the primary building is allowed, all parking located in front of the primary building shall be limited to automobile parking for employees only and not for storing vehicles overnight waiting to be repaired.
10. No truck sales or leasing shall be permitted on the property. The provision of gasoline/fuel sales is prohibited.
11. For the purpose of this section, distance shall be measured by the most direct route of travel on the ground. (DeKalb County Zoning Ordinance).
12. A minimum of (1) semi-trailer/tractor trailer parking space shall be required for each four hundred (400) square feet of floor space, and a maximum of one (1) semi-trailer/tractor trailer parking space shall be allowed for each one hundred fifty (150) square feet of floor space. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length, with a minimum 50-foot driveway aisle width, or as approved by the Transportation Department. Maneuvering areas shall not include required parking spaces or any portion of a public right-of-way. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

Proposed Minor Truck Repair Supplemental Regulations 3.39.8.2.

Minor Truck Repair establishments shall meet the following:

1. Upon the minor redevelopment of existing structures or buildings, as defined by Section 8.1.16, that also requires a land development permit or building permit, the director or his/her designee may require additional improvements to landscaping, signage, parking lot, sidewalks, or building facades. Any minor redevelopment of existing structures, buildings, and physical appurtenances is permitted by right if such changes result in greater conformity with the specifications of this sections.
2. Operations, including the servicing of vehicles, storage of materials and similar activities connected with the use, must be contained entirely within an enclosed building. For the purpose of determining whether a building is enclosed, the use of open overhead bay doors that can be closed after business hours shall be permitted.
3. Vehicles awaiting service shall be parked on-site. If stored overnight, they shall be stored inside an enclosed building or in the side or rear yard enclosed with an opaque fence at least fourteen (14) feet in height.

4. Outdoor displays of merchandise shall be prohibited beyond ten (10) feet from the building and shall only be displayed during business hours.
5. Overnight outdoor storage of any materials, equipment, tires, or rims is prohibited.
6. New facilities must be designed with truck bays facing away from the primary street frontage.
7. Junk vehicles shall not be stored on the property.
8. No truck sales or leasing shall be permitted on the property. The provision of gasoline/fuel sales is prohibited.
9. A minimum of ten (10) spaces shall be provided to accommodate employee parking. In tiers where parking in front of the primary building is allowed, all parking located in front of the primary building shall be limited to automobile parking for employees and not for storing vehicles overnight waiting to be repaired.
10. A minimum of (1) semi-trailer/tractor trailer parking space shall be required for each four hundred (400) square feet of floor space, and a maximum of one (1) semi-trailer/tractor trailer parking space shall be allowed for each one hundred fifty (150) square feet of floor space. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length, with a minimum 50-foot driveway aisle width, or as approved by the Transportation Department. Maneuvering areas shall not include required parking spaces or any portion of a public right-of-way. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

3.39.8.3 Restaurant with a drive-through configuration.

All drive-through restaurants must comply with the following:

- A. Drive-through facilities shall not be located within sixty (60) feet of a residentially zoned property, as measured from any menu or speaker box to the property line of adjacent residential property, unless part of a mixed-use development.
- B. No drive-through facility shall be located on a property less than ten thousand (10,000) square feet in area, unless part of a mixed-use development. Stacking spaces for queuing of cars shall be provided for the drive-through area as required in Article 6.
- C. Drive-through lanes and service windows serving drive-through lanes shall only be located to the side or rear of buildings.
- D. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building and with a similar level of architectural quality and detailing. Article 4.
- E. Speaker boxes shall be pointed away from any adjacent residential properties and shall require masonry sound attenuation walls with landscaping or other speaker volume mitigation measures. Speaker boxes shall not play music but shall only be used for communication for placing orders.
- F. All lighting from drive-through facilities shall be shaded and screened so as to be directed away from any adjacent residential property.

G. Stacking spaces shall be provided for any use having a drive-through facility or areas having drop-off and pick-up areas in accordance with the following requirements. Stacking spaces shall be a minimum of ten (10) feet wide and twenty-five (25) feet long. Stacking spaces shall begin at the last service window for the drive-through lane (typically the “pick-up” window).

H. All drive-through facilities with the exception of drive-through restaurants shall provide at least three stacking spaces for each window or drive-through service facility.

I. The following standards shall apply to all stacking spaces and drive-through facilities:

1. Drive-through lanes shall not impede on- and off-site traffic movements, shall not cross or pass through off-street parking areas, and shall not create unsafe conditions where crossed by pedestrian access to a public entrance of a building.
2. Drive-through lanes shall be separated by striping or curbing from off-street parking areas. Individual lanes shall be striped, marked, or otherwise distinctly delineated.
3. All drive-through facilities shall include a bypass lane with a minimum width of ten (10) feet, by which traffic may navigate around the drive-through facility without traveling in the drive-through lane. The bypass lane may share space with a parking access aisle.
4. Drive-through lanes must be set back five (5) feet from all lot lines and roadway right-of-way lines.
5. Owner and operator are responsible for daily litter clean-up to ensure the property remains free of trash, litter, and debris.
6. Drive-through restaurants shall not be located within five hundred (500) feet of an elementary, middle, or high school.

J. Semi-trailers and Tractor Trailer parking shall be provided. At least 25% of the minimum number of parking spaces for “Restaurant” and “Restaurant with a drive-through configuration” shall be dedicated for semi-trailer and tractor trailer parking. A separate ingress and egress driveway dedicated to semi-trailer and tractor trailer parking shall be provided on-site as approved by the Transportation Department with appropriate directional signage to allow for safe and efficient internal traffic flow of both automobiles and commercial semi-trailers. All spaces designated for semi-trailer or tractor-trailer parking shall be at least twelve (12) feet in width by fifty-five (55) feet in length, with a minimum 50-foot driveway aisle width, or as approved by the Transportation Department. Maneuvering areas shall not include required parking spaces or any portion of a public right-of-way. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

3.39.8.4 Restaurants (Non-Drive-Through).

All sit-down restaurants (Non-Drive-Through) shall comply with the following:

- A. Semi-trailers and Tractor Trailer parking shall be provided. At least 25% of the minimum number of parking spaces for “Restaurant” and “Restaurant with a drive-through configuration” shall be dedicated for semi-trailer and tractor trailer parking. A separate ingress and egress driveway dedicated to semi-trailer and tractor trailer parking shall be provided on-site as approved by the Transportation Department with appropriate directional signage to allow for

safe and efficient internal traffic flow of both automobiles and commercial semi-trailers. Maneuvering areas shall not include required parking spaces or any portion of a public right-of-way. No off-street maneuvering area shall require vehicles to back in from or out to a public street.

Bouldercrest Overlay District Text Amendments

Tiers 2, 4, & 4a

PURPOSE OF TEXT AMENDMENTS:

TO ENHANCE THE LONG TERM ECONOMIC VIABILITY OF THE BOULDERCREST OVERLAY DISTRICT WHILE PROTECTING SURROUNDING PROPERTIES

TO ENSURE THAT LAND USES PERMITTED IN THE HEAVY COMMERCIAL/INDUSTRIAL TIERS ARE CONSISTENT WITH THE PURPOSE AND INTENT OF TIERS 2, 4, AND 4A

Bouldercrest Text Amendments

Proposed amendments to the heavy commercial/industrial tiers of the Bouldercrest Overlay District are needed to enhance long term economic viability of overlay while protecting surrounding properties.

In BOD, permitted land uses are controlled by which tier the property falls in and not the underlying zoning district.

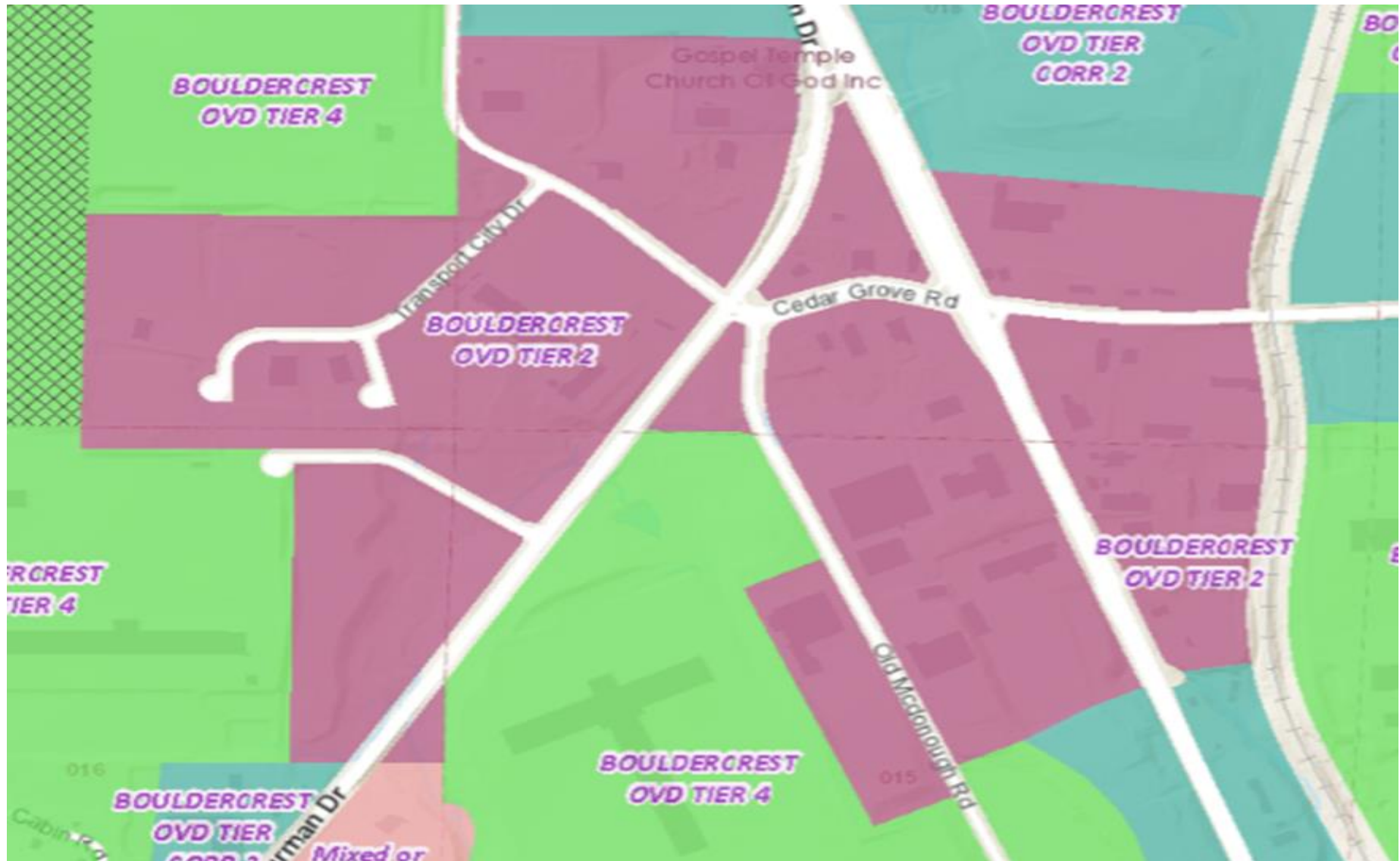
Proposed changes are only to the heavy commercial/industrial tiers—Tiers 2, 4, and 4a

No proposed changes to other tiers (Tier 1, 3, and 5).

No Map changes proposed.

Bouldercrest Text Amendments

Proposed Land Use Changes to Tier 2 TIER 2 BOUNDARY MAP



Bouldercrest Text Amendments

Intent of Tier 2:

- Moderate intensity, light industrial zoned area around Moreland Avenue/Cedar Grove Road intersection
- Encourage higher intensity industrial redevelopment within mixed use context
- Allows commercial uses and convenience goods and services which reduce need for vehicular trips outside the District
- There are many auto and truck related business in this tier along Moreland Avenue

Proposed Land Use Changes Consistent with Tier 2 Intent

Minor Truck Repair from SLUP to Permitted Use by Right. Create zoning definition and Supplemental Regulations.

Major Truck Repair from Prohibited Use to Permitted by Right. Create zoning definition and Supplemental Regulations

Rules for both:

- **14 feet tall fence for screening trucks stored overnight**
- **Minimum of one tractor trailer parking space for each 400 square feet of floor space/ Maximum of one tractor trailer parking space for each 150 square feet of floor space**
- **Standardize tractor trailer parking space, drive aisles and maneuvering areas**
- **Provide employee and customer parking**
- **Prohibit gasoline sales**
- **Prohibit tractor trailers backing out onto public streets**

Proposed Land Use Changes Consistent with Tier 2 Intent

Minor and Major Auto Repair from SLUP to Permitted Use by Right.

Eliminate Truck Stop and Commercial Greenhouse duplicates from Land Use Table.

Bus and Rail Stations (Publicly Owned) from Permitted Use to SLUP

Day Spas from Permitted by Right in all tiers to prohibited in all tiers.

Eliminate Mini-warehouse as a land use and create Self Storage/mini and Self Storage/multi land uses, add zoning definitions and Supplemental Regulations. Allow Self Storage Multi as SLUP and Self Storage Mini as Prohibited Use.

Create Supplemental Regulations for Drive-through Restaurant (SLUP) and Sit Down Restaurant (Permitted Use by Right) to address semi-tractor trailer ingress/egress and parking.

- **Require 25% of parking spaces for tractor trailer parking at drive through restaurants.**
- **Require separate ingress and egress for tractor trailers**
- **Standardize tractor trailer parking space, drive aisles and maneuvering area requirements**
- **Prohibit tractor trailer backing out onto public streets**

BOULDERCREST TEXT AMENDMENTS

Proposed Land Use Changes to Tier 4 TIER 4 BOUNDARY MAP



Intent of Tier 4:

Existing industrial zoned area along Moreland Avenue

Encourage redevelopment of industrial properties at higher design standards

Includes mix of auto and truck related businesses, warehousing, and light manufacturing.

Auto and Truck Rentals/Leasing from Error Message “Value!!” to Use Permitted by Right.

Day Spas from Permitted by Right in all tiers to Prohibited Use in all tiers.

Intermodal freight terminal from Prohibited Use to Permitted Use by right.

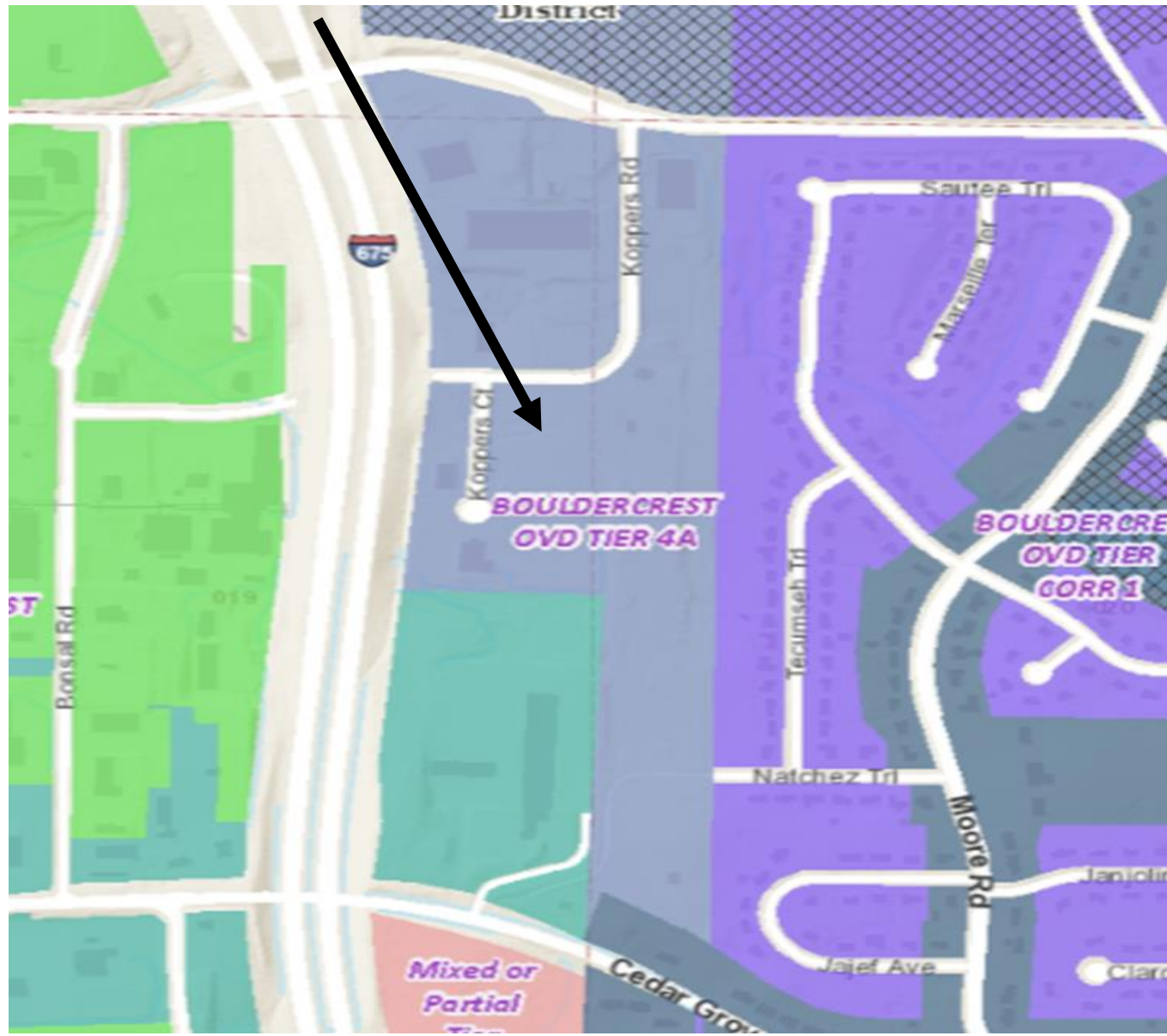
Self Storage Mini as Permitted Use by Right

Self Storage Multi as Permitted Use by Right

BOULDERCREST TEXT AMENDMENTS

Proposed Land Use Changes to Tier 4a

TIER 4a BOUNDARY MAP



BOULDERCREST TEXT AMENDMENTS

Intent of Tier 4a:

Industrial area along east side of I-675

Only separated from residential neighborhoods to the east by a Georgia Power Utility Easement; standards and land uses should be more stringent in this tier.

Proposed Land Use Changes Consistent with Tier 4a Intent

Auto and Truck Rentals/Leasing from error message of “Value!!” to Prohibited Use.

Bus and Rail Stations (Publicly Owned) from Permitted Use to Prohibited Use.

Day spas from Permitted by Right in all tiers to Prohibited Use in all tiers.

Special Trade Contractor from Permitted Use to Prohibited Use.

Intermodal Freight Terminal from Permitted Use to Prohibited Use.

Self Storage/Multi from Permitted by Right to SLUP.

Self Storage/ Mini from Permitted by Right to Prohibited Use.

Truck Stop/Terminal from Permitted by Right to Prohibited Use.

Self Storage Text Amendments

PURPOSE OF TEXT AMENDMENT:

TO RECOGNIZE THE DIFFERENT TYPES OF SELF STORAGE AND CREATE REGULATIONS TO PROVIDE COMPATIBILITY WITH SURROUNDING PROPERTIES

Self Storage Mini



Self Storage Multi



Self Storage Multi



Self Storage

Current Ordinance

Mini-warehouses permitted in

- C-1
- C-2
- OD
- M
- M2

Proposed

Self Storage Mini permitted in

- C-2
- M
- M-2

Self Storage Multi permitted in

- OI
- C-1
- C-2
- OD
- M
- M-2

Self Storage

Outside storage (Self Storage Mini)

- Limited to vehicles such as boats, and RVs shall be allowed in the side and rear yards of Self Storage/mini facilities. Outside storage of rental trucks, recreational vehicles and dry storage of boats shall be permitted provided the following conditions are met:
- The storage area shall not exceed 25 percent of the total buildable area of the site.
- Such storage shall take place only within a designated area. The area so designated shall be clearly delineated upon the site plan submitted for permitting.
- The outside storage area shall be entirely screened from view from adjacent residential and office areas and public streets.
- Vehicles shall not be stored within the area set aside for minimum building setbacks.
- No vehicle maintenance, washing or repair shall be permitted on-site. Pleasure boats stored on-site shall be stored upon wheeled trailers. No dry stacking of boats shall be permitted on-site.

Self-storage/ multi facilities shall not allow outside storage of any kind.

Self Storage

Prohibited Uses:

operation of a business or service enterprise;
personal activities such as hobbies, arts and crafts, woodworking, repair, restoration or maintenance of machinery or equipment;
hazardous or toxic material storage;
and/or living or sleeping quarters.

Prohibited Storage:

Wares, goods and/or personal property stored therein shall not include explosives, paint, flammable chemicals or other materials which might be corrosive or hazardous.

No individual storage space shall be larger than 600 square feet.

Site access shall be from arterial streets only.

Self-storage facilities must provide 24-hour security or camera surveillance. Outdoor speakers or sound amplification systems shall be prohibited.

Self Storage

Buffer standards in article 5 shall apply. Where the facility is adjacent to any residentially zoned property, including across a public right-of-way, a minimum 40 foot wide undisturbed or densely landscaped buffer shall be provided along the relevant property lines. The 40 foot buffer requirement shall be left undisturbed or planted in such a manner as to create a visual screen between the development and the adjacent residential areas. If the buffer required in Section 5.4.5 is greater than the buffer required in this section, the requirements of Section 5.4.5 shall apply.

Front facades of Self storage/multi must be at least 30% brick and have 20% fenestration. Interior self-storage unit doors shall not be visible from the right-of-way.

Outdoor lights shall be shielded to ensure that light and glare are limited to the premises and are directed away from adjacent properties. If a self-service storage facility abuts a residentially zoned property, outdoor lighting shall have a maximum height of 15 feet.

A new or expanded self-storage facility shall not be located fewer than 1,500 feet from the boundary of any other self-storage facility (mini or multi).

BOULDERCREST TEXT AMENDMENTS

Community ZOOM Meeting October 8th at 6:00 pm

Community Council Meeting October 14th 5:30 pm

Planning Commission Meeting November 5th 5:30 pm

Board of Commissioner Meeting November 19th 5:30 pm

Provide your feedback here:

https://forms.office.com/Pages/ResponsePage.aspx?id=J1UtKf-r_0W8krHbEDdge0q8UlQexk1Kh2_jNjxs5zFUNVg4RzMxWIFDNUhCRUswWUJLMIBPWjRLWi4u

ID	Start time	Completion time	What new uses should be allowed in Tier 2?	What uses should not be allowed in Tier 2?	What new uses should be allowed in Tier 4?	What uses should not be allowed in Tier 4?	What new uses should be allowed in Tier 4a?	What uses should not be allowed in Tier 4a?	What other issues should be addressed in the Bouldercrest-Cedar Grove-Moreland Overlay text amendments?
2	10/8/20 18:14:48	10/8/20 18:20:11				Truck parking lot unless there is a SLUP to assure that the area where it is proposed has the infrastructure to accommodate this type of business.		Truck Parking Lot	Requiring current businesses to follow the conditions already in place in the respective Tiers, and come up with a better plan to enforce those that are not in compliance. Restrict businesses that may be permitted in a Tier if the roads and infrastructure are not equipped to handle.
3	10/8/20 18:27:56	10/8/20 18:55:50						Concerns for the changes proposed. Please consider: 1. Can the roads that you are proposing for the business can they handle the traffic, the heavy use, and constant traffic? 2. There has to be something in place to prevent the truckers, heavy equipment on private	
4	10/8/20 18:26:44	10/8/20 19:30:37	This tier should allow restaurants, light commercial	Heavy Commercial, Heavy trucking	Light industrial, restaurants, gas stations, larger buffer for residential.	Heavy trucking, heavy industrial, light and heavy manufacturing.	Greenspace, light shopping	Heavy industrial, heavy trucking, light and heavy manufacturing	Enforce the code!!!! We were promised a buffer behind Tecumseh Trail by the businesses and they are able to decide that they no longer want to adhere to the agreement. I was at the meeting where this was agreed upon after we were told we could not have a sound barrier so imagine my surprise in how they blatantly disregarded the agreement. It is amazing that when we as residents break the code we are fined immediately, these businesses are allowed to what ever they want. I thought the commissioners were here to assist all occupants of the county not just the commercial occupants. That easement behind Tecumseh Trail at least helped dampen the noise from the businesses behind Tecumseh trail. Now we have to hear everything coming from those businesses throughout the night. I am so disappointed in the residential advocacy being represented by the commissioners.
5	10/8/20 19:52:11	10/8/20 20:00:10	Cleaner air , trails , green space , include residential in green space, strict rules enforced for businesses and trucks	Cleaner air , trails , green space , include residential in green space, strict rules enforced for businesses and trucks	Cleaner air , trails , green space , include residential in green space, strict rules enforced for businesses and trucks, better roads , fix bridges etc	More trucks and businesses that do not follow the rules , it should benefit residents and Businesses alike	Cleaner air , trails , green space , include residential in green space, strict rules enforced for businesses and trucks, fix bridges, roads	More trucks and businesses that do not follow the rules , it should benefit residents and Businesses alike	Cleaner air , trails , green space , include residential in green space, strict rules enforced for businesses and trucks
6	10/8/20 19:59:36	10/8/20 20:08:34							As Dekalb County plans to purchase more green space, the focus should be to protect residential areas adjoining industrial areas with buffer green space. Look at purchasing some residential properties, as they become available, to make the areas surrounding the industrial spaces more desirable for area residents. BOD has several large properties in the residential sections that could be permanent county maintained green space.
7	10/9/20 11:06:01	10/9/20 11:16:13							Be cognizant of the residential areas abutting these commercial/industrial zones. I have lived here for 30+ years and our neighborhoods have expanded but the rezonings have allowed constant encroachment. Our we quality of life is greatly diminished, as are our property values. The expansion of legal and illegal businesses along East Conley and Cedar Grove Roads have damaged our neighborhood streets, bridges and destroyed our peace. Please enforce the zoning laws and give us respite from need to engage in endless protests and meetings.
8	10/9/20 12:24:00	10/9/20 12:38:02	Restaurants or repair shops	Restaurants, repair shops, Office Park	No additional development. This is a residential area. The area is already too busy and the roads are in need of repairs.	No additional development. Walking trails or greenspace to maintain our property value.	Anything with less traffic. The business design should complement the residential area.	Heavy trucks and traffic congestion.	I understand the need for development however please take into consideration we have to live in this area as well.
9	10/9/20 13:16:42	10/9/20 13:24:53	None.	All of them.			None.	All of them.	Fix our roads.

Comments/Questions regarding the proposed changes to the Overlay District

jwayne@fepcocontainer.com <jwayne@fepcocontainer.com>

Wed 10/21/2020 8:17 PM

To: Prince, James <jprince@dekalbcountyga.gov>; Reid, John <jreid@dekalbcountyga.gov>

Cc: Fox, Davis <dfox@dekalbcountyga.gov>; Gannon, Kathie <kgannon@dekalbcountyga.gov>; haroldlmcglothlin@gmail.com <haroldlmcglothlin@gmail.com>; Baker, Andrew <aabaker@dekalbcountyga.gov>; Paula L. Smith <psmith@fepcocontainer.com>; jgross@stickybusiness.net <jgross@stickybusiness.net>; robroark@allsouthwarehouse.com <robroark@allsouthwarehouse.com>; bhdndec@aol.com <bhdndec@aol.com>; 'ryan' <ryan@blackhallstudios.com>; virginia montgomery <virginia@securedparkingllc.com>; Lindsay Williams <lindsay.williams@mckenneys.com>; emory@metrosouthcid.com <emory@metrosouthcid.com>; 'John Kranjc' <kranjc@bellsouth.net>; 'Mychal Pickens' <pickensm@schneider.com>; 'Stephen Bridges' <stephen.bridges@am.jll.com>; Sylvia Payne <office1@palletlogisticsinc.com>; Scott Hoffman <scott30208@aol.com>; Chris Babbitt <christopher.babbitt@lonza.com>; Jon Waller <jwaller@rrl-ins.com>

**** WARNING:** The sender of this email could not be validated and may not match the person in the "From" field. ******

Ms. Prince/Mr. Reid:

On behalf of the Conley Area Business Association (CABA) and the Metro South Community Improvement District (MSCID), we offer the following comments/questions regarding the proposed changes to the Overlay District:

Under “Community Facilities”:

Why would a “Post Office” be shown as a “NO” in Tier 4 when we already have a Post Office in Conley, GA?

Why would “Places of Worship” be shown as a “NO” in Tier 4 when we feel that we need Places of Worship more now than perhaps at any point in our past? While we are talking about Places of Worship, is there a way that smaller churches who need a place to meet could utilize a Conference Room or Meeting Room of a local business in Tier 4 where the business community could perhaps assist smaller churches by providing them with a place to meet on Saturday’s or Sunday’s when their businesses would otherwise be closed. We feel this

could be an excellent way for the Business Community to possibly interact and give back to the Residential Community should such a situation present itself.

Under “Automobile, Boat and Trailer Sales and Service”:

We would suggest that the wording “Automobile repair and paint (major) “ be changed to “Automobile repair and paint and body (major). The Tier allocations are fine.

We understand to a degree why you would show “NO” for “Tire Store where the majority of the tires offered for sale are used tires”. However, there are some very reputable used tire businesses where they have requirements that they cannot leave used tires stored outside their facility. Since Tier 4 is commercial/industrial, you may want to reconsider allowing such a business with restrictions to the point the tires would have to remain inside their place of business.

Why was “Truck Stop, service station including sales of gasoline” deleted from the proposed changes? Are you saying that you do not want places like QT; RaceTrac; Shell; Speedway in the Tier 4 commercial/industrial area?

We know that “Truck Stop or Terminal” is included under “Industrial” later in the proposed changes but just wanted to clarify if you are trying to exclude these type businesses in Tier 4 which we think should be included.

Under “Office”:

Under the “Medical Office” classification, does this include things like a Chiropractor; Drug and Alcohol Testing Facility; Fingerprinting; Hair Follicle Testing; Dentist, etc.?

While there are separate classifications for a Finance Office; Insurance Office; Legal Office; Medical Office and Real Estate Office; what about other type offices such as a Parking Office; Transportation or Trucking Office; Tire Office and many other type “General Offices”? Could there be a separate classification for simply a “General Office”?

Under “Services”:

We notice that under “Adult day care center” you show “NO” in Tiers 1 and 3; yet, under “Adult day care facility”, you show “YES” in Tiers 1 and 3. What is the difference in a “Adult day care center” and a “Adult day care facility”?

THANK YOU for eliminating “and day spa” from “Barbers shop, beauty salon, and nail salon!

Under “Services, Repair”:

Under the category “Heavy Equipment Repair Service”, for clarity, we suggest showing this category as “Heavy Equipment and Tractor/Trailer Repair Service”.

What is “Railroad Car Classification yards and team truck yards”?

What is included in a “Storage Yard”?

Using the criteria listed, why do you have “Towing and Wreckage Service...” with an “SP” classification rather than “YES”? It would appear to us that under specific guidelines, this should be a “YES” rather than having to go through the SLUP process.

Basically the same as above for “Radio and television broadcasting transmission”. Why “SP” versus “YES”?

ALL CLASSIFICATIONS:

Since Tier 4 is primarily Commercial/Industrial and we are all trying to encourage new businesses to come into Tier 4, why are all the following showing “NO” versus “YES”:

Post Office

Places of Worship

Apparel and accessories store

Computer and computer software store

Convenience Store

Florist

Food stores, including bakeries

Gift, novelty and souvenir store

Grocery Stores including bakery

Retail automobile/truck parts and tire store

Home Healthcare service

Chemical manufacture, organic and inorganic

Mines and mining operations, quarries, asphalt plants, gravel pits and sand pits

Salvage Yard (Junkyard)

As information, many of the residents in this area as well as many businesses have asked for these type businesses in Tier 4. Why are they all listed as “NO”?

GENERAL OBSERVATIONS:

While we may have missed it, we do not see a classification for “Landfill’s (Garbage/Trash)” which we feel should be included with a “NO”!

Under the new proposed guidelines, what if an existing business has a change in operations? Would they come under the new proposed guidelines or would they be grandfathered in under the old guidelines?

Obviously, it is our opinion that none of us can anticipate all type business uses or classifications! Therefore, we feel there needs to be some special type provision in the new proposed Overlay Guidelines that will allow some discretion outside the specific item by item guidelines. Perhaps a business could make a request to the Director of Planning and Sustainability who could then in turn present it to the Planning Board for consideration to be presented to the Board of Commissioners for approval. In other words, there needs to be a provision for “exceptions and/or variances” to the specific Overlay Guidelines that does not require lawyers and exorbitant amounts of time to get a decision. None of us can envision all the particular scenario’s that may come up in the future. However, we can be proactive and plan for them now by putting a mechanism in place that can deal with them expeditiously! We respectfully request your consideration for such a clause in the new Overlay Guidelines.

Lastly, and perhaps most importantly, while we applaud your efforts to take care of truckers going to Fast Food Restaurants, we strongly feel that the proposed 25% of allocated parking space will be detrimental to Fast Food Restaurants and Economic Development in this area. Fast Food Restaurant Franchises would have to purchase far more land to accommodate the 25% parking requirement which could be prohibitive to even buying and building here. Additionally, if this were to apply to existing facilities if they ever closed or when out of business, it would be impossible in most cases to conform to the new guidelines because they would be land

locked from having enough land to provide 25% of their parking for tractor/trailers. Then we would just have abandoned buildings in our area which we do not need. While we love the idea and support for truckers and keeping the big rigs off the highways and from adjoining business properties, the 25% rule could be detrimental to this area. Therefore, we respectfully ask that you strongly reconsider this proposed requirement.

As a closing comment, we in the business community strongly support and partner with residents in the residential community. We enjoy a strong working relationship with the Cedar Grove Neighborhood Association. However, some residents have a very negative view of businesses within the community and particularly, trucking companies because of the big trucks in their residential area. However, we need to all realize that everything we use comes via a big truck somewhere along the line. Our problems in this area have been exacerbated by the bridge closure on Cedar Grove Road in Conley which may take up to two years to replace. We feel that we all want Tier 4 to be a much better place to live and work and we want to be an encouragement rather than a discouragement to new businesses wanting to locate in this area.

The proposed revisions to the Overlay District is very important to everyone. Therefore, Joel and I, as representatives of CABA and the MSCID, volunteer to work with each of you and other DeKalb County Staff to provide the

citizens and business leaders in this area the best possible revisions to the Overlay District that is humanly possible.

Respectfully submitted,

J. Wayne Smith
President, CABA
Vice Chair, MSCID
C: 770-480-6626
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Joel L. Gross
Chairman, MSCID
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Virus-free. www.avg.com

Re: 4321 East Conley Rd.

Gary Sparrow <garysparrow81@gmail.com>

Mon 10/26/2020 8:57 AM

To: Baker, Andrew <aabaker@dekalbcountyga.gov>**Cc:** Gannon, Kathie <kgannon@dekalbcountyga.gov>; juaney lynn-rigsby <drjlr2011@hotmail.com>; Williams, Zachary L. <zlwilliams@dekalbcountyga.gov>; Shaifer, Shaun E. <sessaifer@dekalbcountyga.gov>; Reid, John <jreid@dekalbcountyga.gov>

Mr. Baker,

At the Community meeting I spoke at a few weeks ago I was asked to send info about the concerns I raised with the specific addresses. I am including pictures and addresses in this email. Sorry for the length but I wanted to make sure there was an explanation for each pic.



This occurred on October 1. The tractor trailer is stuck in the ditch and because they have to turn so wide from Moore Rd to Cedar Grove he ran this Jeep off the road. Moore Rd has no truck signs.



John had asked if there were signs posted. This is at the corner of Cedar Grove & East Conley. The same sign is at both ends of Moore Rd and on Cedar Grove at the 675 overpass traveling toward East Conley.



This culvert on Cedar Grove at the end on East Conley was run over by a truck. It has been repaired multiple times but has been in this condition for a few months now.







These pictures are from 4381 East Conley. It is in Tier 4. The concern I mentioned at the meeting is before we start changing what is allowed in Tiers how can you enforce restrictions already in place. This property has been in this condition for years.



This huge hole is at the intersection of East Conley and Cedar Grove. Cars trying to dodge this are causing a dangerous situation. The following pics are all along East Conley. They are periodically patched but come right back because of the truck traffic.











There are many more on this road but I think you get the idea.



Finally this is 4500 East Conley. Truck Parking is allowed in Tier 4 where this is located but as I mentioned at the meeting how can this be allowed on a road with no truck signs and you can see the condition of the road it is causing. It just seems like common sense that the area and road a business is located would be considered before a specific type of business is allowed even if the zoning supports it.

We are looking forward to hearing some solutions about enforcement of the standards that the zoning tiers has in place. I think these two issues go hand in hand and shouldn't just be passed off by saying " that is code enforcement not zoning". We as a community need some kind of solution to these ongoing issues.

Thank you,
Gary Sparrow
East Conley Rd. Zoning Committee
678-898-4529

Sent from my iPhone

On Oct 7, 2020, at 9:45 AM, Gary Sparrow <garysparrow81@gmail.com> wrote:

Mr. Baker,

and a landscape buffer, that use is proposed to require a SLUP to address any potential building height impacts on adjacent residential areas.

Semi-tractor trailer parking for restaurants:

There are various drive-through and sit-down restaurants located throughout the overlay district, and there have been complaints that tractor trailers trying to access and park at these properties are causing traffic backlogs on adjacent roadways due to either insufficient parking available on-site, or because there is a conflict between automobiles and tractor trailers trying to access the same driveways for ingress/egress. As a result, some tractor trailers have been parking on the side of the road within the public right of way. Therefore, staff is proposing supplemental regulations which require separate driveways devoted to semi-tractor trailers, and at least 25% of the parking requirement for these two land uses be devoted exclusively for tractor trailers with appropriate dimensions regarding length, width, and maneuvering areas to ensure that tractor trailers do not have to back onto roads or parking aisles to maneuver in and out of the site.

Community Input from Area Residents:

Code Enforcement and truck traffic impacts on residential neighborhoods were the main focus of many residents living in the nearby residential areas who attended the October 8th Bouldercrest Overlay community meeting and the October 14th District 3 Community Council meetings. These residents were very concerned about code enforcement issues relating to inadequate buffers between industrial and residential areas, failure of the developers to install these buffers, and heavy truck traffic tearing up roads and bridges on East Conley Road on their way to the industrial/commercial areas on the other side of Interstate 675 (see attached responses). Planning Department Staff also received an email from an affected resident (see attached email from Gary Sparrow) which further clarified these issues with photos. Additionally, affected residents spoke of negative impacts of trucking companies and industries, and truck traffic on adjoining and nearby residential neighborhoods. They want trucking and industries to be subject to SLUPs in Tiers 2 and 4, and want truck stops and terminals to be prohibited in Tier 4a.

Community Input from Area Business Organizations:

Planning Department Staff also received an email from the Conley Area Business Association (CABA) and Metro South Community Improvement District (CID) which delineated concerns with a much wider assortment of land uses than proposed by Staff that impacted not only Tiers 2, 4, and 4a, but Tiers 1 and 3 as well (see attached). There were also concerns that the proposed requirement that at least 25% of the required parking for restaurants be devoted to tractor trailers would be detrimental to restaurants in the overlay because it would require a lot more land and would be cost prohibitive.

Planning Department Recommendation:

During the November zoning cycle, community members raised a number of code enforcement, traffic/transportation, public safety, and other issues in addition to a much wider assortment of concerns instead of the Bouldercrest Overlay District zoning standards than were initially raised by Staff. In response to community concerns, staff elected to defer continued deliberation of the proposed text amendments and recommended full cycle deferral to both Planning Commission and the Board of Commissioners. The agenda item was approved for a 2-cycle deferral until the March 2021 zoning cycle.

Staff has not made any changes to the proposed text amendments since November. Based on community input from the November agenda cycle, it appears that the community is interested in a comprehensive overhaul of the overlay district that extends way beyond the minor tweaks that Staff proposed. It also appears that there are more pressing community concerns related to code enforcement, traffic/transportation, and public safety within the overlay district. Therefore, Staff's recommendation to the community and subsequently, to Planning Commission and the Board of Commissioners, is to withdraw the proposed text amendments. Once some of the more immediate concerns of the community have been addressed, then the Planning Department can initiate a more comprehensive community effort to amend residential and nonresidential zoning aspects of the entire overlay district.

RECOMMENDATION(S):

Planning Department: Withdrawal without prejudice.

Planning Commission: Pending.

Community Council: District 3: Denial 6-1-0 The Community Council considers the changes proposed in the text amendment to be detrimental to the residential neighborhoods in the Bouldercrest-Cedar Grove-Moreland Overlay District.