



**CITY OF LITHONIA
MINUTES—ZONING PUBLIC HEARING
Monday, November 1, 2021 @ 3:00 PM**

(Item II.) Amendments to the Lithonia Zoning Ordinance that would add an M-1 Light Industrial District and an M-2 Heavy Industrial District. **(Item III.)** Consideration of amendments to the Future Land Use and Character Areas Map adopted in the City of Lithonia 2020 Comprehensive Plan Update that will encompass properties proposed for annexation.

I. Call to Order and Roll Call

The Zoning Public Hearing was called to order at 3:18 pm by Mayor Shameka S. Reynolds. A roll call was taken, and the following City Council Members were present: Diane Howard, Vanerriah Wynn, Ric Dodd. Zoning Administrator Bill Johnston was present on the call. Amelia Inman, and Darold Honore were absent.

II. This application concerns amendments to the Lithonia Zoning Ordinance that would add an M-1 Light Industrial District and an M-2 Heavy Industrial District.

a. Report from Bill Johnston, Zoning Administrator

The reason for introduction is the anticipated annexation of industrial properties. The m1 and m2 districts are based on the DeKalb County Industrial Districts that neither adds nor removes parcel rights for individual parcels. Lithonia's zoning map does not contain m1 or m2 zoning districts, Lithonia's compact character suggests that a number of uses should be subject to the SLUP process, which will allow council to review developments for which a special use is required and assign conditions as appropriate, such standards of air pollution and noise is a consideration, conformity with the comprehensive plan, guided by Dekalb County future land use map.

Questions:

Craig with Habib Properties asked will there be specific definitions for the M1 and M2 permitted uses with clarity on what is allowed. Bill Johnston: if the use is not defined in the ordinance standard dictionary definitions would be adhered to.

Councilwoman Wynn expressed concern as to where the m1 and m2 will be, and what type of industrial uses will enter into the city, looking for specifics. Bill Johnston: there are over 145 uses for m1 with 50+ subject to the SLUP process, the purpose of this meeting is to obtain feedback with changes to the list of uses.

Bernie Knight asked if a proposed new revised zoning map is under consideration at this time or in the future. Bill Johnston: no, a new revised zoning map is not under consideration today, however, will be in the future. Mr. Knight stated there is a list of current zoning under Dekalb County with current Lithonia list, further asking if that list is being considered. Bill Johnston: the purpose of that spreadsheet exhibit is in response to comparison of land uses and zoning for commercial and industrial. Mr. Knight then acknowledged there is no zoning map amendment being considered today.

Councilman Dodd stated for clarification that definitions would only be introduced for m1 and m2 during this hearing. Bill Johnston: yes, for the eventual assignment of specific properties.

Councilwoman Howard no questions or concerns.

Councilwoman Wynn would like to know what Mr. Bernie Knight's interest is in the zoning. Bernie Knight: his clients Jack and Susan Philips who own one of the properties which is a c1 and own 2 additional properties, all 3 are scheduled to be in the Stonecrest Overlay, feels that everything south of the Covington Highway area should be taken out, forwarded a GIS map in which there may be some discrepancies and shared a map on the call with 2 areas in question

which are scheduled for phase 2 and should be redacted from the map the city has provided. Bill Johnston: will look into this and stated that Bernie Knight's questions does not apply to the m1 and m2 districts. Councilman Dodd reiterated that phase 1 is being worked on at this time and not phase 2. Bernie Knight acknowledged that today's hearing involves m1 and m2, however inadvertently some of the land in phase 2 was included in the maps during this hearing and include 7 parcels.

b. Presentation by Persons Opposed to the Application (10 minutes allotted)

There were no persons present to oppose the application.

c. Presentation by Persons In-Favor of the Application (10 minutes allotted)

There were no persons present in-favor of the application.

d. Closing of Public Hearing

Councilwoman Howard motioned to close the public hearing, the motion was seconded by Councilman Dodd and approved by a vote of 3-0.

e. Deliberation by Council on Zoning Administrator's Recommendations and Presentations

Councilwoman Wynn would like to revisit before making a decision. Bill Johnston posed a question to the City Attorney, can council approve the amendment subject to approval of the list of the uses, and until the end of the year to schedule another public hearing, asking the city clerk if that were correct. City Clerk Blount replied that another public hearing could be scheduled as early as November 29 if advertising protocols are followed. Bill Johnston then replied that the public hearing could be held as late as sometime in December. City Administrator reached out to Alicia Thompson City Attorney and replied that yes, the decision could be made at the next hearing.

Councilwoman Howard is recommending the vote take place tonight and amended if needed at another meeting. Councilman Dodd agrees with Councilwoman Howard and that we are only working on definitions at this meeting. Councilwoman Wynn agrees if the vote can be amended.

Item #3 should be omitted, until the election results are in for annexation. Bill Johnston added the distinction made by the attorney the overlay is specifically assigned to certain properties and that he was remiss at the beginning of the hearing to remove the Stonecrest Overlay from the agenda items. The resolution to adopt the future land use and character areas map, separate motion for m1, m2, and for the character areas map should be voted on.

f. Decision

Councilwoman Howard motioned to approve the application to the amendment to add m1 to the light industrial district, the motion was seconded by Councilman Dodd, Councilwoman Wynn abstained, Mayor Reynolds voted in favor. City Administrator Sands then stated the amendment cannot be voted on at this time, there must be 2 readings.

Councilwoman Howard withdrew her motion to approve the m1 light industrial district, the motion was seconded by Councilwoman Wynn.

City Attorney Alicia Thompson entered the call to provide clarification, the m1 and m2 is an ordinance to amend the code of ordinances and must be read during 2 meetings and adopted at the second meeting. The future land use resolution only requires 1 reading and can be adopted following the reading and discussion. It must happen before the annexation becomes effective prior to January 1, 2022.

City Clerk Blount then provided a reading for the m1 and m2 ordinance, and resolution for the

future land use map.

Councilwoman Howard motioned to approve the application concerning amendments to the future land use and character areas map adopted in the city of Lithonia 2020 comprehensive plan update, the motion was seconded by Councilman Dodd.

City Attorney Alicia Thompson came back to floor and stated that Bill Johnston needed to provide his findings and recommendations in discussion first before the adoption.

Councilwoman Howard withdrew her motion.

III. This application concerns consideration of amendments to the Future Land Use and Character Areas Map adopted in the City of Lithonia 2020 Comprehensive Plan Update that will encompass properties proposed for annexation.

a. Report from Bill Johnston, Zoning Administrator

The future land use and character areas map adopted in the 2020 update does not address land use beyond the city limits and a map amendment must be considered at a public hearing. The purpose of the map update is to designate the future land use of parcels located outside the city limits that are proposed for annexation into the city limits of Lithonia for residential, commercial, and industrial districts, designations were adopted by Dekalb County, and serves as a reference for Mayor and Council to consider public improvement and other public investments when rendering zoning decisions.

b. Presentation by Persons Opposed to the Application (10 minutes allotted)

Bernie Knight stated that he submitted written objections for 3 properties in representing his client (Jack Phillips) prior to the meeting for council, to be on record (on file as an agenda item for review).

Bill Johnston suggested and recommended that council table this item to provide an opportunity for resolving any discrepancies.

City Attorney Alicia Thompson stated that once the discrepancies are resolved this item can return in a regularly scheduled public meeting before council, for adoption.

c. Presentation by Persons In-Favor of the Application (10 minutes allotted)

There were no persons present in-favor of the application.

d. Closing of Public Hearing

Councilman Dodd motioned to close the public hearing, the motion was seconded by Councilwoman Wynn and approved by a vote of 3-0.

e. Deliberation by Council on Zoning Administrator's Recommendations and Presentations

N/A

f. Decision

City Attorney Alicia Thompson stated that once the discrepancies are resolved this item can return in a regularly scheduled public meeting before council, for adoption.

IV. Adjournment of Zoning Hearing

The meeting ended at 4:48 pm.