

Planning Commission Hearing Date: July 7, 2026
Board of Commissioners Hearing Date: August 13, 2026

STAFF ANALYSIS

CASE NO.:	TA-26-1248066	File ID #: 2026-0629
Address:	County-Wide	Commission Districts: All Districts
Request:	Application of the Director of Planning and Sustainability to identify repeated nuisance properties and establish pathways for notice, corrective action, and related administrative fees, and for other purposes. This text amendment is County-wide.	
Zoning:	N/A	
Applicant/Agent:	DeKalb County Planning & Sustainability Department	
Sections of the Zoning Ordinance Affected by the Amendment:	Chapter 27 of the Zoning Ordinance, to amend Articles 9, and 7 of the code.	

STAFF RECOMMENDATION: TWO-CYCLE DEFERRAL.

The proposed text amendment would create a formal regulatory framework within the Zoning Ordinance for identifying, administering, and enforcing Chronic Nuisance Property conditions in DeKalb County. The amendment is intended to address properties that generate repeated violations of public safety, health, and welfare regulations and that create recurring burdens on County resources, surrounding neighborhoods, and the general public.

The proposed amendment establishes new definitions for “Chronic Nuisance,” “Chronic Nuisance Property,” “Nuisance Incident,” and “Responsible Party.” A property may be designated as a Chronic Nuisance Property when three (3) or more documented nuisance incidents occur within any one hundred eighty (180) day period, or five (5) or more documented nuisance incidents occur within any twelve (12) month period. Covered incidents may include repeated noise violations, disorderly conduct, unlawful gatherings, assaults requiring law enforcement response, illegal commercial activity in residential areas, public health and safety code violations, and similar documented recurring violations.

The amendment further authorizes the Director of Planning and Sustainability, or designee, to serve as the administrative coordinator for implementation in cooperation with County departments including Planning and Sustainability, Code Compliance, Police Services, Fire Rescue, and Sanitation. The proposed process includes progressive enforcement measures beginning with written warning notices, corrective action requirements, subsequent notices for repeat incidents, and formal designation where repeated violations continue.

In addition, the amendment authorizes administrative fees and cost recovery for repeated nuisance responses and coordinated County enforcement actions. Fees are proposed on an escalating schedule with an aggregate cap of five thousand dollars (\$5,000). The amendment also provides additional remedies where applicable, including actions involving business licenses, permits, Special Land Use Permits, and other land use approvals, subject to all required notice and appeal procedures under County Code.

The proposed amendment advances the County's authority to protect the public health, safety, and welfare, while creating a clearer and more consistent enforcement framework for properties exhibiting repeated nuisance behavior. The amendment also promotes accountability by placing responsibility on property owners, operators, tenants, managers, and other responsible parties exercising control over a site.

Staff finds the proposed text amendment to be consistent with sound zoning administration practices, neighborhood protection objectives, and the County's broader planning goals related to safe, stable, and well-maintained communities. By establishing transparent thresholds, progressive enforcement steps, interdepartmental coordination, and due process rights, the amendment provides a reasonable and measured tool for addressing chronic nuisance conditions.

Staff is continuing to work with legal and law departments for enforcement policies and procedures.

Therefore, it is the recommendation of the Planning & Sustainability Department that the proposed text amendment have a ***"Two-Cycle Deferral to the November 2026 zoning agenda"***.