

**THIRD AMENDMENT TO THE 2020 REZONING CALENDAR RESOLUTION TO ADDRESS PUBLIC HEARINGS DURING THE COVID-19 PANDEMIC, AND CHANGES TO THE DATE(S) OF VARIOUS SCHEDULED MEETING(S)**

**WHEREAS**, DeKalb County is experiencing an unprecedented health crisis as a result of the COVID-19 pandemic that currently prevents DeKalb County government from convening traditional in-person public meetings; and

**WHEREAS**, despite the health crisis caused by the pandemic, DeKalb County desires to continue conducting the affairs of County government, including those that affect planning and zoning, with as little disruption, inconvenience, or health risks to the public as possible; and

**WHEREAS**, DeKalb County recognizes that continuing to make land use and zoning decisions during the pandemic will assist in protecting the construction and development industries from the negative economic impacts of the pandemic, which in turn will support employment opportunities for the County's citizenry; and

**WHEREAS**, DeKalb County recognizes that both proponents and opponents to planning and land use and zoning matters must be given adequate notice and an opportunity for public hearing relating to such planning and zoning matters coming before the Community Councils, Planning Commission, and Board of Commissioners; and

**WHEREAS**, DeKalb County finds it necessary to amend its previously adopted resolution and thereby adjust the scheduling of some public hearings indicated in its previously adopted zoning calendar for 2020, as indicated herein, in order to address the unique circumstances complicating the administering of public hearings during the pandemic; and

**WHEREAS**, DeKalb County also finds it necessary to provide flexibility in the format of the public hearings relating to planning and zoning matters while traditional in-person meetings cannot safely be held during the pandemic, and therefore remote meetings via alternative mediums such as phone or internet video are necessary; and

**NOW, THEREFORE, BE IT RESOLVED AND IT IS DECLARED BY THE BOARD OF COMMISSIONERS OF DEKALB COUNTY, GEORGIA, AS FOLLOWS:**

1. The previously adopted 2020 Rezoning Resolution and all of its attachments adopted by the Board of Commissioners on December 17, 2019) (hereinafter referred to as the 2020 Rezoning Resolution), is attached hereto and remains in full force and effect except for the following changes (which supplement changes already made as part of the First and Second Amendments to the 2020 Rezoning Calendar, adopted on April 28, 2020 and June 23, 2020, respectively);
2. The previously adopted dates for various meetings and submittals as reflected in 2020 Rezoning Resolution and the First and Second Amendments remain unchanged and in full force and effect except as follows:

- a. the Board of Commissioners' meeting previously scheduled for September 22, 2020 is rescheduled to **THURSDAY, September 24, 2020**; and
  - b. the scheduled time and location of any of the public hearing(s) listed in the 2020 zoning calendar may be changed and held at a duly noticed time and location (including by telephone or a virtual meeting).
3. All the meetings discussed in paragraph 2 of this Third Amendment, as well as the September 1, 2020 Planning Commission meeting, will be held via Zoom with public participation in the public hearings via a call in number. The Board of Commissioners' meetings and the Planning Commission meetings shall be simultaneously u-streamed in the same manner as the Board of Commissioners' Committee meetings. Details for participation shall be provided via the normal zoning advertisements, agenda publication and other postings required by law;
4. If any section, subsection, sentence, clause, phrase or other portion of this Third Amendment, or its application to any person, entity or circumstance, is held by a court of competent jurisdiction to be unconstitutional or invalid, the remainder of the Third Amendment, or application of the provision to other persons, entities or circumstances shall not be affected;
5. All other provisions of the 2020 Rezoning Resolution and its attachments remain in full force and effect;
6. This Third Amendment shall remain in effect until September 24, 2020 unless amended or modified by official action of the Board of Commissioners.

July 22, 2020

**ADOPTED** by the DeKalb County Board of Commissioners, this day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
STEPHEN R. BRADSHAW  
Presiding Officer  
Board of Commissioners DeKalb County, Georgia

**APPROVED** by the Chief Executive Officer this day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
MICHAEL L. THURMOND  
Chief Executive Officer DeKalb County, Georgia

**ATTEST:**

\_\_\_\_\_  
BARBARA H. SANDERS-NORWOOD, CCC  
Clerk  
Board of Commissioners and  
Chief Executive Officer DeKalb County, Georgia

**APPROVED AS TO SUBSTANCE:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ANDREW BAKER  
Director  
DeKalb County Department of Planning & Sustainability

\_\_\_\_\_  
VIVIANE H. ERNSTES  
County Attorney