



Legislation Details (With Text)

File #: 2020-1546 **Version:** 1 **Name:**
Type: Ordinance **Status:** Preliminary Item
File created: 12/1/2020 **In control:** Board of Commissioners - Zoning Meeting
On agenda: 7/28/2022 **Final action:**
Title: COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, including, but not limited to Section 9.1.3 (Definitions), Section 4.1.3 (Land Use Table), and Section 4.2 (Supplemental Regulations) of the DeKalb County Zoning Ordinance relating to automobile land uses, and for other purposes. This text amendment is County-wide.

Indexes:

Attachments: 1. Auto Brokers Text Amendment TA-21-1244414 BOC July 2022 Staff Report, 2. Auto Brokers Text Amendment TA-21-1244414 PC July 2022, 3. D2. TA-21-1244414 Staff Report March 2022, 4. D2. TA-21-1244414 Auto Brokers Staff Report Sept. 2021, 5. TA-21-1244414 Auto Brokers Staff Report July BOC 2021, 6. TA-21-1244414 2020-1546 Auto Brokers_Text amendment 3.0, 7. TA-21-1244414 2020-1546 Auto Brokers May 2021 BOC, 8. TA 21 1244414 Jan 2021 Staff Report

Date	Ver.	Action By	Action	Result
7/28/2022	1	Board of Commissioners - Zoning Meeting	approved	Pass
7/12/2022	1	Planning Commission		
7/12/2022	1	PECS-Planning, Economic Development & Community Services Committee		
3/24/2022	1	Board of Commissioners - Zoning Meeting	deferred for two full cycles	Pass
3/1/2022	1	Planning Commission	deferred for two full cycles	Pass
9/30/2021	1	Board of Commissioners - Zoning Meeting		
9/9/2021	1	Planning Commission	deferred for two full cycles	Pass
7/29/2021	1	Board of Commissioners - Zoning Meeting		
7/8/2021	1	Planning Commission	Full cycle deferral per staff recommendation	Pass
5/27/2021	1	Board of Commissioners - Zoning Meeting		
5/6/2021	1	Planning Commission	denied	Pass
1/28/2021	1	Board of Commissioners - Zoning Meeting	deferred for two full cycles	Pass
1/7/2021	1	Planning Commission	deferred for two full cycles	Pass

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:
COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, including, but not limited to Section 9.1.3 (Definitions), Section 4.1.3 (Land Use Table), and Section 4.2 (Supplemental Regulations) of the DeKalb County Zoning Ordinance relating to automobile land uses, and for other purposes. This text amendment is County-wide.

PETITION NO: D2. TA-21-1244414 (2020-1546)

PROPOSED USE: Auto Brokers

LOCATION: County-wide.

PARCEL NO. : N/A

INFO. CONTACT: Brandon White, Current Planning Manger

PHONE NUMBER: 404-371-2155

PURPOSE:

The proposed text amendment seeks to clarify the parameters of an auto broker business and codify existing administrative policy. These proposed changes should improve administration of the *Zoning Ordinance* and create a more efficient permitting process for applicants and operators.

RECOMMENDATION:

COMMUNITY COUNCIL: (June 2022) CC-1: No Quorum; CC-2: Approval; CC-3: Approval; CC-4: Approval; CC-5: Approval. (February 2022) CC-1: No Action Taken; CC-2: Full Cycle Deferral; CC-3: Approval; CC-4: Defer to the BOC; CC-5: Full Cycle Deferral; (August 2021) CC-1: No Quorum; CC-2: Deferral; CC-3: Deferral; CC-4: Deferral; CC-5: Deferral. (June 2021) CC-1: No Quorum; CC-2: Deferral; CC-3: Deferral; CC-4: Deferral; CC-5: Deferral. (April 2021) CC-1 No Quorum; CC-2 Approval w/conditions; CC-3 Approval; CC-4 Approval; CC-5 Approval. (February 2021) CC-1: Approval of withdrawal; CC-2: No action taken; CC-3: No action taken; CC-4: No action taken; CC-5: No action taken.

PLANNING COMMISSION: (July 12, 2022) Approval. (March 1, 2022) Two-Cycle Deferral. (September 9, 2021) Three-Cycle Deferral. (July 8, 2021) Full Cycle Deferral. (May 6, 2021) Denial. (Jan. 7, 2021) Two-Cycle Deferral.

PLANNING STAFF: Approval.

STAFF ANALYSIS: See attached staff report.

PLANNING COMMISSION VOTE: (July 12, 2022) Approval 7-0-0. Jana Johnson moved, Jon West seconded for approval, per Staff recommendation. (March 1, 2022) Two-Cycle Deferral 8-0-0. Gwendolyn McCoy moved, Vivian Moore seconded for a two-cycle deferral to the July 2022 zoning agenda, per Staff recommendation. Jana Johnson was not present for this vote. (September 9, 2021) Three-Cycle Deferral 8-0-0. Jana Johnson moved, April Atkins seconded for a Three-Cycle Deferral, per Staff recommendation to the March 2022 zoning cycle. Edward Patton was not present for this vote. (July 8, 2021) Full Cycle Deferral 6-0-0. Jon West moved, April Atkins seconded for a Full Cycle Deferral, per Staff recommendation. Jana Johnson was not present for this vote. (May 6, 2021) Denial 8-0-0. Jon West moved, Jana Johnson seconded for Denial. (Jan. 7, 2021) Two-Cycle Deferral 8-0-0. Jana Johnson moved, Paul Womack, Jr. seconded for a Two-Cycle Deferral, to the May 2021 zoning agenda.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (June 2022) CC-1: No Quorum. CC-1

Board members present voted for approval; CC-2: Approval 6-0-0; CC-3: Approval 9-0-0. CC-3 Board members supports the text amendment as a means of enforcing regulations regarding auto brokers and auto repair establishments; **CC-4: Approval 11-0-0; CC-5: Approval 9-0-0. (February 2022) CC-1: No Action Taken; CC-2: Full Cycle Deferral 10-0-0; CC-3: Approval 9-0-0.** The Board supports the text amendment as a means of enforcing regulations regarding auto brokers and auto repair establishments; **CC-4: Defer to BOC 10-0-0.** To allow additional time for this text amendment to be fully vetted; **CC-5: Full Cycle Deferral 10-0-0. (August 2021) CC-1: No Quorum, Members present voted for Deferral 2-0-0; CC-2: Deferral 7-0-0; CC-3: Deferral 10-0-0; CC-4: Deferral 11-0-0; CC-5: Deferral 8-0-0. (June 2021) CC-1: No Quorum; CC-2: Deferral 8-0-1; CC-3: Deferral 11-0-0; CC-4: Full Cycle Deferral 12-0-0; CC-5: Deferral 8-0-0. (April 2021) CC-1 No Quorum; members present supported the amendment; CC-2 Approval w/conditions 4-0-0.** Approval with conditions that the Use Table should not include new zoning districts, that the text continue to include the language that states vehicles are not stored on the same lot as the business office, and that code enforcement act on non-compliant properties; **CC-3 Approval.** The Community Council Board understood that the proposed text amendment is intended to correct a problem; **CC-4 Approval 7-4-0; CC-5 Approval 9-0-1** Approval of the text amendment, with the denial of expansion into NS and M1 zoning districts.; **(Feb. 2021) CC-1: Approval of Staff's withdrawal 5-0-0; CC-2: No action taken; CC-3: No action taken; CC-4: No action taken; CC-5: No action taken.**