



## Legislation Details (With Text)

**File #:** 2022-2543    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Public Hearing

**File created:** 11/17/2022    **In control:** Board of Commissioners

**On agenda:** 6/27/2023    **Final action:**

**Title:** COMMISSION DISTRICT(S): All Districts  
Application of the Director of Planning & Sustainability for text amendments to the DeKalb County Zoning Ordinance to align with updates to the state zoning procedure statutes. Amendments include but are not limited to Section 9.1.3 (Defined Terms), Section 7.1.2 (Governing Bodies), Section 7.2.4 (Public Hearings), Section 4.1.3 (Use Table), and Section 7.5.8 (Appeals of Decisions of the Zoning Board of Appeals).

**Indexes:**

**Attachments:** 1. Substitute 2023 05.25 Item 2022-2543, 2. TA-23-1246181 May 2023 Staff Report State Zoning Procedures, 3. TA-22-1246181 Zoning Procedure Statutes Jan BOC 2023, 4. Georgia-2021-HB1405-ZPL

Date	Ver.	Action By	Action	Result
6/27/2023	1	Board of Commissioners	approved substitute	Pass
5/25/2023	1	Board of Commissioners - Zoning Meeting	deferred for 30 days	Pass
5/2/2023	1	Planning Commission		
1/26/2023	1	Board of Commissioners - Zoning Meeting	deferred for two full cycles	Pass
1/5/2023	1	Planning Commission		

### Substitute

**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 DeKalb County Zoning Ordinance to align with updates to the state zoning procedure statutes. Amendments include but are not limited to Section 9.1.3 (Defined Terms), Section 7.1.2 (Governing Bodies), Section 7.2.4 (Public Hearings), Section 4.1.3 (Use Table), and Section 7.5.8 (Appeals of Decisions of the Zoning Board of Appeals).

**PETITION NO:** TA-23-1246181

**PROPOSED USE:** N/A

**LOCATION:** County-wide

**PARCEL NO. :** N/A

**INFO. CONTACT:** Brandon White, Current Planning Manager

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of the Director of Planning & Sustainability for text amendments to the DeKalb County Zoning Ordinance to align with updates to the state zoning procedure statutes. Amendments include but are not limited to Section 9.1.3 (Defined Terms), Section 7.1.2 (Governing Bodies), Section 7.2.4 (Public Hearings), Section 4.1.3 (Use Table), and Section 7.5.8 (Appeals of Decisions of the Zoning Board of Appeals).

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** (Apr. 2023) CC-1: Deferral; CC-2: Deferral; CC-3: Deferral; CC-4: Denial; CC-5: Deferral. (Dec. 2022) CC-1: Deferral; CC-2: Full Cycle Deferral; CC-3: Approval; CC-4: Denial; CC-5: Full Cycle Deferral.

**PLANNING COMMISSION:** (May 2, 2023) Defer to June 27, 2023. (Jan. 5, 2023) Full Cycle Deferral.

**STAFF RECOMMENDATION:** Defer to June 27, 2023 BOC meeting

**PLANNING PSTAFF ANALYSIS:** House Bill 1405, a revision to the O.C.G.A §36-66 Zoning Procedures, was approved by the Georgia General Assembly in the Spring of 2022 and ratified by the Governor on May 13, 2022. This major revision to zoning procedures, which provide minimum statewide directives for many of the zoning related procedures that we administer, takes effect on July 1, 2023. The *Zoning Ordinance* must be updated to reflect these procedural changes by the effective date.

**PLANNING COMMISSION VOTE:** (May 2, 2023) Deferral to the Board of Commissioners 8-0-0. Jon West moved, Jan Costello seconded for Deferral to the June 27, 2023 Board of Commissioners a.m. meeting, with the request that Planning Staff hold a virtual, town hall meeting to allow Community Councils and other County entities the opportunity to see a final draft before it is presented to the BOC. (Jan. 5, 2023) Full Cycle Deferral 9-0-0. Jana Johnson moved, LaSonya Osler seconded for a Full Cycle Deferral, per Staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** (Apr. 2023) CC-1: Deferral 6-0-0; CC-2: Deferral 9-0-0; CC-3: Deferral 6-0-0 to allow the amendment to be finalized and vetted; CC-4: Denial 10-0-0; CC-5: Deferral 9-0-0 until review of draft document. (Dec. 2022) CC-1: Deferral 8-0-0; CC-2: Full Cycle Deferral 7-0-0; CC-3: Approval 8-0-1; CC-4: Denial 8-0-0; CC-5: Full Cycle Deferral 6-0-0.