



## Legislation Details (With Text)

**File #:** 2018-1645    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 4/24/2018    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 5/22/2018    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 3 & 6 D2. BOC Bouldercrest-Cedar Grove-Moreland Overlay TA-18-22052

**Indexes:**

**Attachments:** 1. Staff Report - 3-6-18, 2. Staff Report 5-1-18, 3. 2018 05.22 Item 2018-1645 Zoning.pdf

Date	Ver.	Action By	Action	Result
5/22/2018	1	Board of Commissioners - Zoning Meeting	withdrawn	Pass
5/1/2018	1	Planning Commission		
3/27/2018	1	Board of Commissioners - Zoning Meeting	deferred for a full cycle	Pass
3/6/2018	1	Planning Commission	Full cycle deferral	Pass

**Public Hearing:** YES  NO     **Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** 3 & 6 D2. BOC Bouldercrest-Cedar Grove-Moreland Overlay TA-18-22052

**PETITION NO:** TA-18-22052

**PROPOSED USE:** Amend Tier 5 of the Bouldercrest-Cedar Grove-Moreland Overlay District to Allow Day Care Facilities as a SLUP.

**LOCATION:** All properties in Tier 5

**PARCEL NO.:** Various.

**INFORMATION CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

Application of DeKalb County Board of Commissioners for a text amendment to the Bouldercrest-Cedar Grove-Moreland Overlay District to amend the Table of Uses to allow child day care facility with a Special Land Use Permit (SLUP) in Tier 5, and for other purposes.

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL:** (4-12-18) APPROVAL. (2-15-18) NO VOTE.

**PLANNING COMMISSION:** (5-1-18) APPROVAL. (3-6-18) FULL CYCLE DEFERRAL.

**PLANNING STAFF:** APPROVAL.

**PLANNING STAFF ANALYSIS:** Child day care facilities are consistent with the description of uses that require a Special Land Use Permit contained in Section 27-7.4.1(A), as follows: “Special Land Use Permits are granted to uses that might be compatible with the uses and structures authorized as a matter of right within a particular zoning district, but which have operational characteristics and/or impacts that are significantly different from the zoning district’s principal authorized uses and therefore require individual review pursuant to the standards and criteria for Special Land Use Permits as outlined in Section 7.4.6.” In addition, child day care facilities are generally similar (in terms of impact on surrounding land uses) to home occupations with customer contact, and to bed and breakfast inns, which are allowed with Special Land Use Permits in Tier 5. Moreover, the neighborhoods in Tier 5, which constitutes the areas in the Overlay District that are developed with single-family detached homes, are similar in character to other single-family residential neighborhoods within the County in which only single-family detached homes are allowed, but in which child day care facilities are also allowed; i.e., neighborhoods in the RE (Residential Estate), RLG (Residential Large Lot), R-100 (Residential Medium Lot-100), R-85 (Residential Medium Lot-85), R-75 (Residential Medium Lot-75), and R-60 (Residential Small Lot-60) districts. It is suitable for child day care facilities to be located in neighborhoods that are comprised of single-family detached homes. The convenience of having a day care facility located close to home can reduce automobile travel distance between the two destinations. By providing convenience to working parents, a close-by facility can help support family life. If the day care facility is located in the same neighborhood as a child’s home, the familiarity of the surroundings can provide comfort and a sense of security to the child. Therefore, the Department of Planning and Sustainability recommends “Approval” of the proposed text amendment”.

**PLANNING COMMISSION VOTE:** (5-1-18) **Approval.** V. Moore moved and J. West seconded for approval as per the staff recommendation. (3-6-18) **Full cycle deferral, 7-0-0.** V. Moore moved and M. Butts seconded for a full cycle deferral.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** (4-12-18) **Approval, 7-0-2.** Day care facilities are heavily regulated by the County and Bright From The Start. (2-15-18) **No vote.** The meeting location (Wesley Chapel Library) closed at its regular time but the Community Council had not begun discussion on this item of the agenda when the library closed.