



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Legislation Details (With Text)

File #: 2021-2645 **Version:** 1 **Name:**
Type: Ordinance **Status:** Public Hearing
File created: 5/24/2021 **In control:** Board of Commissioners
On agenda: 8/10/2021 **Final action:**
Title: COMMISSION DISTRICT(S): 3, 5, 6 & 7
Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, including, but not limited to Section 27- 3.33 (I-20 Corridor Compatible Use Overlay District), Section 27-3.33.5. Principal uses and structures, and Section 27-3.33.6. Prohibited uses of the DeKalb County Zoning Ordinance, relating to temporary produce stands. This text amendment affects Commission Districts 3 and 5 and Super Districts 6 and 7.

Indexes:

Attachments: 1. Substitute 2021 08.10 Item 2021-2645, 2. TA-21-1244999 Temporary Produce Stands 2021-2645 I-20 Staff Report-Text Amendment July BOC 2021

| Date | Ver. | Action By | Action | Result |
|-----------|------|---|------------------------------|--------|
| 8/10/2021 | 1 | Board of Commissioners | | |
| 7/29/2021 | 1 | Board of Commissioners - Zoning Meeting | | |
| 7/8/2021 | 1 | Planning Commission | deferred for two full cycles | Pass |

Substitute

Public Hearing: YES ☐ NO ☒

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 3, 5, 6 & 7

Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, including, but not limited to Section 27- 3.33 (I-20 Corridor Compatible Use Overlay District), Section 27-3.33.5. Principal uses and structures, and Section 27-3.33.6. Prohibited uses of the DeKalb County Zoning Ordinance, relating to temporary produce stands. This text amendment affects Commission Districts 3 and 5 and Super Districts 6 and 7.

PETITION NO: TA-21-1244999 (2021-2645)

PROPOSED USE: Temporary Produce Stands in the I-20 Overlay District

LOCATION: I-20 Corridor Compatible Use Overlay District

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 Zoning Ordinance, Chapter 27, including, but not limited to Section 27- 3.33 (I-20 Corridor Compatible Use Overlay District), Section 27-3.33.5. Principal uses and structures, and Section 27-3.33.6. Prohibited uses of

the DeKalb County Zoning Ordinance, relating to temporary produce stands. This text amendment affects Commission Districts 3 and 5 and Super Districts 6 and 7.

RECOMMENDATION:

COMMUNITY COUNCIL: CC-3: Approval with a condition; **CC-5:** Approval.

PLANNING COMMISSION: 3-Cycle Deferral.

STAFF RECOMMENDATION: Approval.

PLANNING STAFF ANALYSIS: The Department has received constant inquiries regarding the use of temporary produce stands on properties throughout unincorporated DeKalb County. Some of those properties were located within the I-20 Corridor Compatible Use Overlay District. Currently, the I-20 Overlay District does not include “temporary produce stands” as a permitted use. The intent of this proposed text amendment is to amend the I-20 Overlay District by adding “temporary produce stand,” subject to administrative approval similar to temporary uses outside of the overlay district. This proposal received a favorable review by the Board of Commissioners’ Planning, Economic Development, and Community Service (PECS) Committee on June 21, 2021. Therefore, staff recommends “approval.”

PLANNING COMMISSION VOTE: Three-Cycle Deferral 8-0-0. Vivian Moore moved, Jana Johnson seconded for a 3-cycle deferral to the January 2022 zoning cycle to address uniformity, clarification of conditions, and safety concerns that include what types of produce is allowed, quality of produce, location, etc. Motion passed unanimously.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: CC-3: Approval w/condition 11-0-0. Board members thought that temporary produce stands would help ameliorate problems of food desserts and recommended that Staff add a definition of “produce stands”. **CC-5: Approval 7-1-0.**